

DE NON TE-
MERANDIS
ECCLESIA.

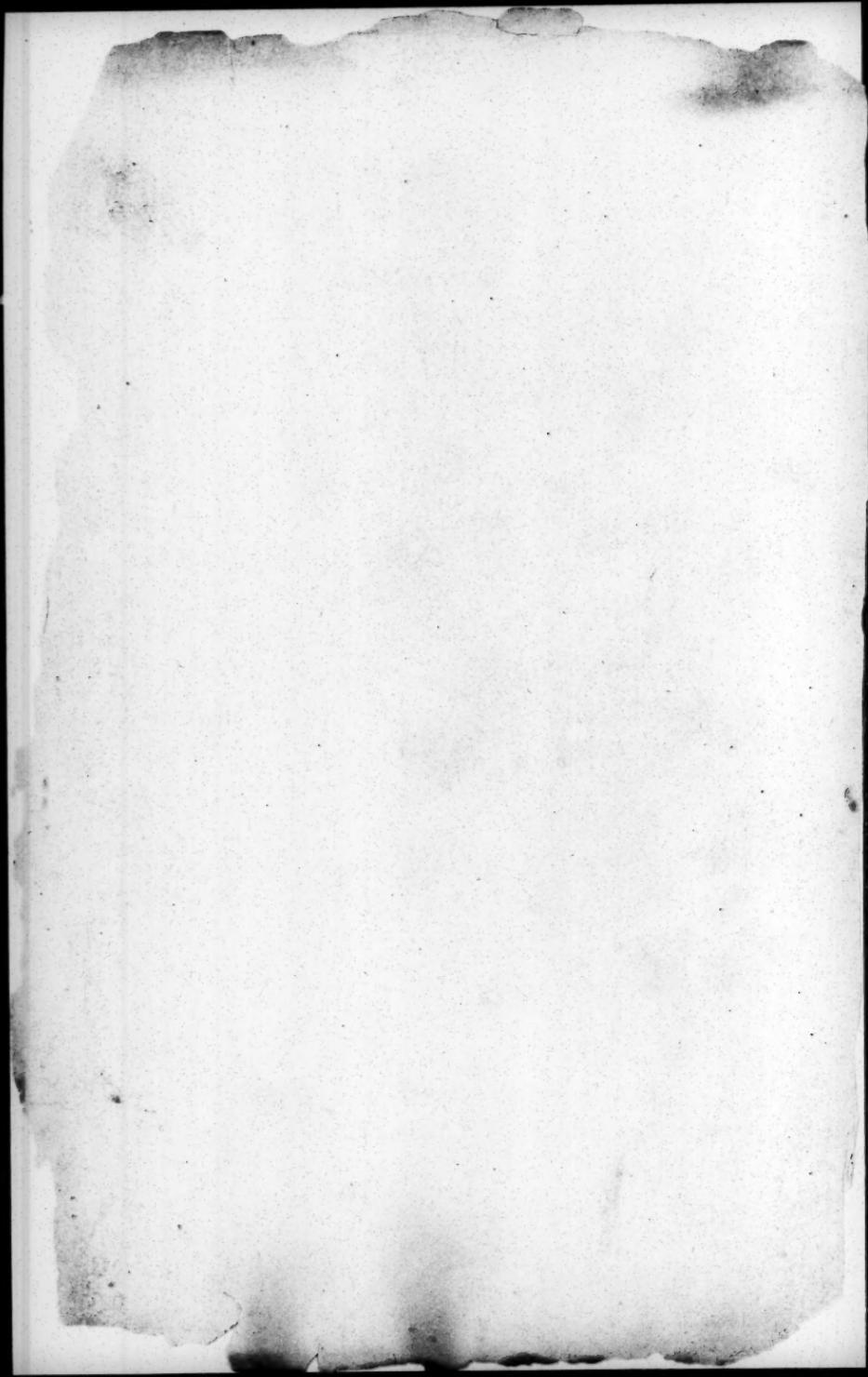
A Tracte
Of the Rights and Re-
spect due vnto
Churches.

Written to a Gentleman, who having an Approp-
riate Parsonage, employed the Church to pro-
phane uses: and left the Parishioners un-
certaintly provided of Divine Service, in a
Parish where there adioyning,

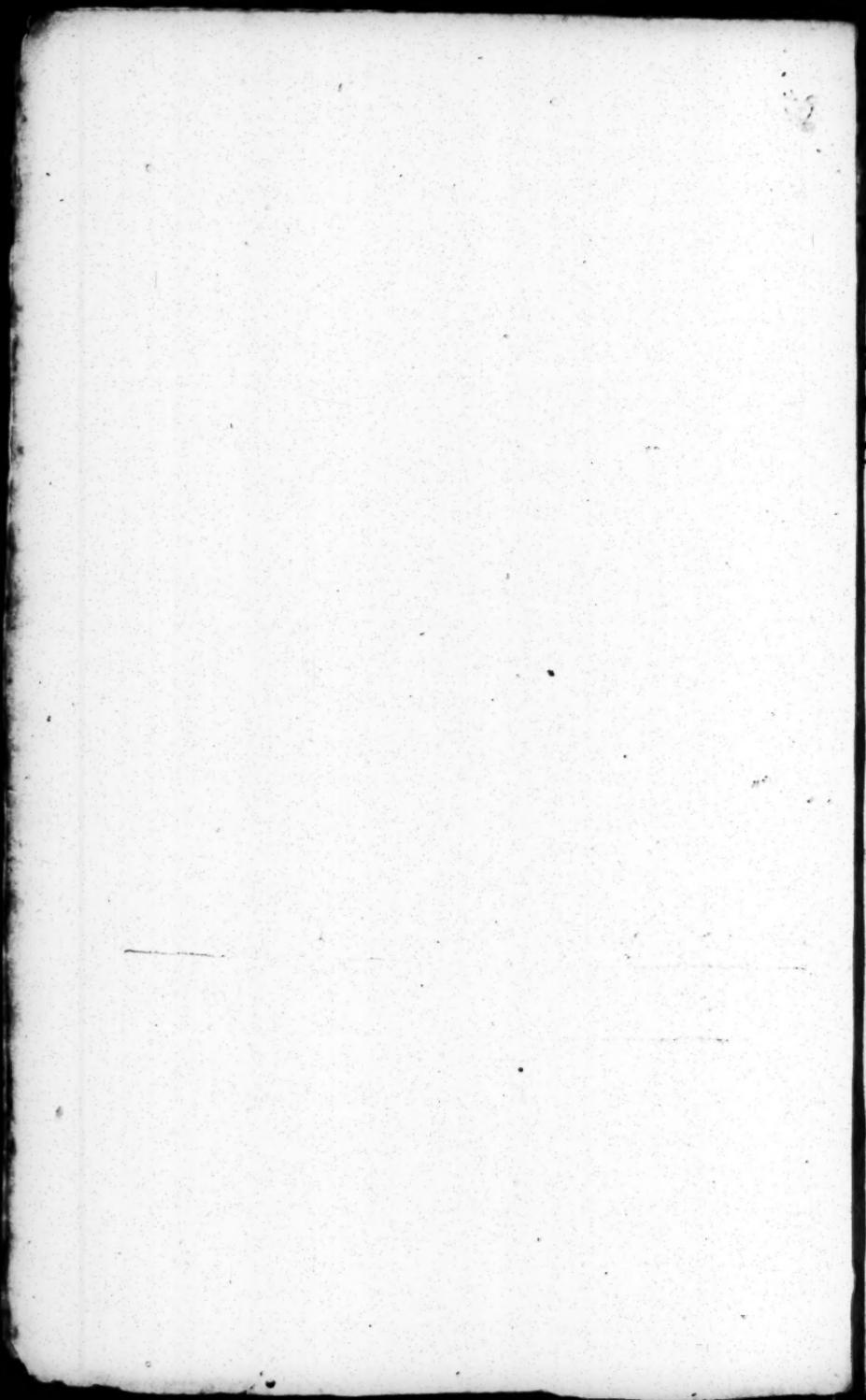
By S. HENRY SPEELMAN
Knight.

THE
Necessaria

LONDON
Printed by JOHN BEALE. 1613.



~~✓~~
See Dr. Spelman's copy with
many manuscript additions
written with her own hand,
and that never were printed —



in thalamis ergo tuis hac nocte recessit.
Si foerit hoc vix paup' ubiq' iacet.

Loffra datus in vredam quia fallebam

In hac brevi iniquitate vel wage affectu
te broad of doon is postt to a man; but up
ward his meetyfull fillie in yonable. P. 20. 17
te doonfull and wastly not to get back in yonable. P. 20. 21

St. H. Psalmus written emendations
& additions are not printed
in any Editions.

HT MONS
EL DIA
DEO

&
ECCL^EESIAE

Beatus vir qui vocem suam permetit Ecclesie

Act. 28. 24.

Some were persuaded with
the things that were spoken,
and some believed not unto

whom say as Pecc. 2, 24
I told you & yet you did not believe

Aug: Possidio Epist. 73 to: 3 70.

Moneantur inter vos misericordia et si
obtemporer volunt precepta salu-
tis vestris saltem facile degener non
defendantur, nam maiori si sciret mi-
phicant.

videtur de Neptuni.

For Sions sake I will not hold my
tongue Isaia 62.1.





To the Reader.

ALL the vessels of the Kings house, are not gold, or siluer, or for vses of *Honour*. Some bee common stuffe, and for meane seruices : yet profitable. Of the first sort, I am sure this *Tract* is not. Whether of the other or no : I leauue that to thy iudgement. To deale plainly : My selfe haue no great opinon of it : as finding mine owne imperfekteions, and writing it onely vpon a priuate occasion to a priuate friend, without curious obseruation of matter, or methode.

A 2

But

To the Reader.

But hauing also written a greater Worke (much of the same Argument) and entending to publish, or supprese it, as I see cause: I thought it not vnsit (vpon some encouragement) to send this forth, (like a Pinnesse, or Paste of Aduise) to make a discouery of the Coast, before I aduenture my greater Ship. If I receiuie good aduertisement, I shall grow the bolder: Howsoever, take this, I pray thee, as it is: and let my zeale to the cause, excuse me in meddling with matters beyond my strength.

H. S.

A Letter; shewing
the occasion of this
Treatise.

To the worshipfull
his most louing Vncl
FR. SA. &c.



I good Vnkle,
the speaches
that past casu-
ally betweene
vs at our last
parting, haue
runne often since in my minde, and
so (perhaps) haue they done in
ours. You complained (as God
would haue it) that you were much
froſt, in the building you were in
band with, upon a peece of gleabe
of your Appropriate Parſonage
at Congham. I answered, that

I thought, God was not pleased
with it, insomuch as it tended to
the defrauding of the Church:
adding (amongst some other
words) that I held it vter-
lie unlawfull to keepe Approp-
riate Prisonages, from the
Church, &c.

But our talke proceeding: I per-
ceiued, that as God had alwaies
his portion in your heart, so in
this, though it concerned your
profit, you seemed tractable. It
much rejoiced mee, and therefore
apprehending the occasion, I will
be bold to adde a continuance to
that happy motion: (so I trust, both
you, and I shal haue cause to terme
it:) and besides, to giue you some
tribute of the loue and duty I long
haue ought you. Therefore
(good Uncle) as your heart hath
happily

happily conceived these blessed
sparkes, so in the name and blessing
of God, cheerish and enflame them.
No doubt they are kindled from
beauen, like the fire of the Altar,
and are sent unto you from God
himselfe, to be a light to you in
your old daies (when your bo-
dily eies faile you) to guide your
feet into the way of peace, that is,
the way and place from whence
they came. So alwaies I pray for
you, and rest,

Your louing and
faithfull Nephew,

Westmin:
Aug: 17.

1613° HENRY SPELMAN.

Honoreare vero remunerari
et eleemosynis datur. See ap
Pauli Apst. Corinova pro diu
presbyteri duplum honore
dignior. Vide Hesec. Tom.
2. pa. 88. 3.

Scimus. Nam H



DE NON TE- MERANDIS ECCLESIAIS.

*Of the Rights and respect due
unto the Church.*

Misomuch, as the rights and duties that belong to our Churches are in effect contained vnder the name of a Rectory or Parsonage : I wil first define, what I conceiue a Rectory or Parsonage to be, according to the vsuall forme and manner thereof.

A

A

2 De non temerandis

A Rectory A Rectory or Parsonage, is what it is.
a ^a Spirituall living, composed of
^a Plowd. cōments. in Land, Tithe, and other ^b Obla-
quare imp' per Grenđō &c. tions of the people, ^c separate or
dedicate to God in any Congre-

^b Oblatio gation, for the ^d seruice of his
est omne Church there, & for the main-
qd exhibe- tur in cultu tenance of the Gouernour or Mi-
dei Tb. A q. nister threcof to whose charge
22 q. 85. 3: the same is committed.

3. &c. ^e By this definition it appear-
^f in his epif. eth, that the ordinary living
Tō. 1. Cōcil. And lands or reuennew of a Parsonage, is
are so ter- of three sorts : The one in
med Ezeck. Land, commonly called the
45, 1. And tithes Glebe: another in Tithe, which
Nū. 18, 24. is a set and regular part of our
So also the Canonists goods rendred to God : the
and Ciui- third, in other offrings and ob-
lians ex- lations

ound the Concil. Augst. cap. 7. Burcha. li. 3. ca. 129. &
143. Et Lexi. Iudit. 17. verb. oblatio. ^g Lexit. 27. 28.

^d Touching diuine worshippe and workes of chari-
tie.

lation

lations bestowed vpon God
and his Church, by the people,
either in such arbitrable pro-
portion as their owne devo-
tion moueth them : or as
the lawes or customes of
particular places doe require
them.

2 Though I invert order a *Tithes how*
little, I will first speak of *Tithes due*.
because it is Gods ancient de-
maine, and the nobler part of
this his inheritance, founded
primarily, vpon the law of Na-
ture, (as the other be also after
their manner.) For the *Law of*
Nature teacheth vs that God is
to be honoured : and that the
honour due vnto him, cannot
be performed without *Minis-*
ters, nor the *Ministers* attende
their function without main-

*Scripturae. Dei
summi dominice.
Concil. generale
Westm. triduanum
An. dñi. 1126.*

R. 2. tenance

4 De non temerandis

tenance. And therfore seeing
God is the Supreme Lord and
Gen. 14.19. possessor of all, and giueth all
things vnto vs that wee are
maintained with, it is our duty,
both in point of *Iustice* and
Gratuity, to render something
backe againe vnto him ; as ac-
knowledging this his suprema-
cie and bountie ; as honouring
him for his *goodnesse* ; as a testi-
mony of the worship, loue and
seruice we owe him ; and last-
ly, as a meanes whereby these
duties and seruices may be per-
formed to him. This, I say, the
very *Law of nature* teacheth vs
to do: and this the *Law of God*
requireth also at our hands :
but what the *set* portion of
our goods shalld bee, that thus
we ought to render backe vnto

All is don unto you in honor of God
no good work from primitives et decimas. i.
parte primam & ultimam by w[]e signifi-
prestandra et plenitudinem ream omni-
que possidemus. for prima pars ut quae
prestantea & virtus, decima competenter
in illa enim incipit numeratio, in hac fin-

Ecclesiis

at one time
or other
in one place
or other

God, I cannot say the law
of ^a Nature hath determined ^b Yet there
that. But the wisdome of all bee diuers ^c numeri
the Nations of the World, the ^d naturali
practise of all Ages, the exam- ^e coniunctio
ple of the Patriarches ^b *Abra-* ^f significatio
ham and c Jacob, the ^d appro- ^g mend this ^h numeri animi
bation, and commandement ^(for this) ⁱ sequentes, & sup
of Almighty God himselfe, ^j ^k do too sunt ipsi
and the constant ^e resolution of ^l aboue o. ^m suis & patrum eius
his Church vniuersally, hath ^b ⁿ replicaciones
taught and prescribed vs to ^o ^p Gen. 14, 20. ^q Levit. 17, ^r Mal. 3, 10.
render vnto him the *Tenth* ^o ^s Ludit p. ps. 2
part: and that this *Tenth* part or ^t ^u co 29. col 3
Tithe, being thus assigned vnto ^v ^w 30 & 32. ^x Deus. 12, 6, ^y ministrum
him, leaueth now to be of the ^z ^{aa} nunc dandi
nature of the other *nine parts* ^{bb} Declared ^{cc} post hoc est
(which are giuen vs for our ^{dd} by the Fa- ^{ee} qui mandabat
worldly necessities,) and be- ^{ff} thers and ^{gg} abusus antie
commeth as a thing dedicate ^{hh} Counsels. ⁱⁱ plenitudo
and appropriate vnto God. For ^{jj} ^{kk} Gen. 2, 3. Et Sartre
it is said, *Lev. 27, 30.* All the ^{ll} ^{mm} doh. Doudet abusus
tithe ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} ^{aa} ^{bb} ^{cc} ^{dd} ^{ee} ^{ff} ^{gg} ^{hh} ⁱⁱ ^{jj} ^{kk} ^{ll} ^{mm} ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} ^{aa} ^{bb} ^{cc} ^{dd} ^{ee} ^{ff} ^{gg} ^{hh} ⁱⁱ ^{jj} ^{kk} ^{ll} ^{mm} ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} ^{aa} ^{bb} ^{cc} ^{dd} ^{ee} ^{ff} ^{gg} ^{hh} ⁱⁱ ^{jj} ^{kk} ^{ll} ^{mm} ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} ^{aa} ^{bb} ^{cc} ^{dd} ^{ee} ^{ff} ^{gg} ^{hh} ⁱⁱ ^{jj} ^{kk} ^{ll} ^{mm} ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} ^{aa} ^{bb} ^{cc} ^{dd} ^{ee} ^{ff} ^{gg} ^{hh} ⁱⁱ ^{jj} ^{kk} ^{ll} ^{mm} ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} ^{aa} ^{bb} ^{cc} ^{dd} ^{ee} ^{ff} ^{gg} ^{hh} ⁱⁱ ^{jj} ^{kk} ^{ll} ^{mm} ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} ^{aa} ^{bb} ^{cc} 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^{jj} ^{kk} ^{ll} ^{mm} ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} ^{aa} ^{bb} ^{cc} ^{dd} ^{ee} ^{ff} ^{gg} ^{hh} ⁱⁱ ^{jj} ^{kk} ^{ll} ^{mm} ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} ^{aa} ^{bb} ^{cc} ^{dd} ^{ee} ^{ff} ^{gg} ^{hh} ⁱⁱ ^{jj} ^{kk} ^{ll} ^{mm} ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} ^{aa} ^{bb} ^{cc} ^{dd} ^{ee} ^{ff} ^{gg} ^{hh} ⁱⁱ ^{jj} ^{kk} ^{ll} ^{mm} ⁿⁿ ^{oo} ^{pp} ^{qq} ^{rr} ^{ss} ^{tt} ^{uu} ^{vv} ^{ww} ^{xx} ^{yy} ^{zz} <sup

6 De non temerandis

tythe of the land, both of the seede
of the ground, and of the fruit of
the trees, is the Lords : yea, more
then so, It is holy unto the Lord.
And againe (verse 32.) Euery
Tithe of Bullocke, and Sheepe, and
of all that goeth vnder the rodde,
the Tenth shall bee holy unto the
Lord. Hee saith, Holy unto the
Lord, not that they were like
the sanctified things of the Tem-
ple, (which none might touch
but the Anointed Priests,) but
Holy and separate from the vse
and iniury of secular persons,
and to be disposed onely, to
and for the peculiar seruice and
peculiar Seruants of God. And
therefore in the 28. verse, it is
said, to be separate from the com-
mon vse, because it is separate &
set apart vnto the Lord.

Bu

3 But some happily will say ^{Tithes originally noo Leuiticall.} that this vse of Tithing rises out of the Leuiticall law, and so ended with it.

I answer that it was received & practised by Abraham, & ^{Jacob} divers hundred yeeres before it came to the Levites. For it is said that Abraham gaue tithe to Melchisedeck Gen. 14.20. And that Levi himselfe paide tithe also in the loines of ^{voweth to glue tithes Ge.1:28. 22} Abraham, Heb. 7.9. Melchisedeck was the image of Christ, and his Church: Abraham, of the Congregation of the faithfull. Therefore though Levi received tithes afterward, by a particular graunt from God, for the time: yet now he paide them generally with the congregation, in the loines of Abraham,

S De non temerandis

vnto the Priesthood of Christ,
here personated by Melchise-
deck: which being perpetuall, &
an image of this of the Gospell,
may wel note vnto vs, that this
^{b Hum. 35.} duty of tithe, ought also to bee
^{in Gen.} perpetual. And therefore ^b Chryso-
stome saith: that Abraham herein

The was Ovr tutor: not the tutor of
Scripture the Iewes. And insomuch as A-
only men braha paid it not to a Priest that
tioneth braha paid it not to a Priest that
Bread and offred a Leuitical sacrifice of Bul-
Wine to be locks & Goates: but to him that
giuen by Melchise- gave the Elements of the Sacra-
deck to A- ment of the Gospel, bread and
braham, wine: it may also well intimate
but I se- vnto vs, to what kind of Priest
thus shew- eth that he we are to pay our tithes: namely
gave him also diuers to him that ministreth vnto vs
other rich the Sacrament of bread & wine,
gifts An- which are only those of the Gos-
siquit. lib. I. pel, & not the Leuitical Priests. So
cap. 18.

But note that tithes were not given to the
Priest, but to ^f Levites. ^f It is now, by Deut.
and out of the 1000 p. 17. it is against to ^f p.
16 ^f Priest made intencion to leave the de-
fem not only because he lived in ^f Lab-
but for opportunity. ^f Se from de 5 to good
1. Diaconos. Tom 4 pa. 83. +.

that our tithe paid in this kind,
cannot be said Leuitical: as also
for that the Leuitical tithes, were
onely of things ^d renuing and ^{d Levit. 37:}
increasing: whereas ^{30 & 31.} Abraham
and ^{both} Jacob paid them of all; as
if they had followed the com-
mandement of the Apostle: Let
him that is taught in the word,
make him that hath taught him
partaker of ^c A l l. Gall. 6, 6. ^{c. 20m}

^a and of al l y thac
Shalt givis me puse
Jacob Gen. 28 22
wul f givis y x 2n
to thre.

God also requireth this duty
of tithe by his owne mouth, as
of old belonging vnto him, be-
fore the Leuites were called to
the seruice of the Tabernacle:
and before they were named in
Scripture. For they are not
named till Exod. 38. 21. And
it is said in Exod. 22. 29. Thine
abundance of thy liquor shalt thou
not keepe backe: meaning tithes

and

^f a Decem qui
est numerus
abundantia, qui
maxim. ideo se
abundantia dandū esse. ut quia plenitudo
usq; ad plenitudinem,

typice sumendū fecerit: notat sacerdoti p
abundantia dandū esse. ut quia plenitudo
usq; ad plenitudinem,

and first fruits, and therefore Jerome doubteth not so to translate it, *Thy tithes and first fruits shalt thou not keepe backe.* And in this manner of speach, the word *keepe backe*, sheweth that it was a thing formerly due vnto God; for wee cannot say that any thing is *kept backe*, or *withhelden* that was not due before. Thereforc we finde no originall commandement of giuing *tithe* vnto God: but vpon the first mentioning of them in *Leuiticus*, they are positively declared, to be *His*, as a part of *His crowne*, and auncient *domaine*; for it is there said, Cap. 27.30. *All the tithe of the Land is the Lords.* And Moses commandeth not the people a new thing: but declarcth the *Rights* that

v. Hugon. Card. in Esd. lib. 2 ca 10 col
De q' decimario genere pa. 347.

that of old belonged to God: namely, that *All the tithes of the Land was his.*

Other phrases of Scripture doe confirme this; for afterward when *tithes* came to be assigned to the *Leuites*: God doth not say, *the children of Israel shall give their tithes to the Leuites:* but he saith, *Behold, I have given them to the Leuites.* And continuing this his claime vnto ^{Numb. 18. 21. 24.} ^{26.} them, against those that many hundred yeeres after dispossessed him of them: he complaineth, *Malachy 3. 8.* That *they that withheld their tithes from the Leuites spoiled him himselfe.*

But hauing handled this argument more largely in a greater worke: I will heere close

12 De non temerandis

• Ambros. close it vp with opposing a-
 in Serm. gainst these kind of Aduersa-
 Quadrag. ries, not onely the reverend
 • Augult. in authority of those ancient and
 Serm. de temp. 129. most honourable pillars of the
 & alias. Church, SS. ^a Ambrose, ^b Augu-
 • Heron. in stine, ^c Hierome and ^d Chrysostome,
 Maia. 3. ^e Cbrus. in (who though they ronne vio-
 Epist. ad lently with Saint Paul against
 Hebr. Hom. such ceremonies as they con-
 32. et Hom. ceived to bee Leuiticall ; yet
 • Roman. when they come to speake of
 Concil. 4. Aurelian. I Tithes, admit, maintaine and
 Tarragon. sub Horm. commande the vse thereof.)
 Medioma- But also the resolution of many
 tricus, ancient ^f Counsels, and a mul-
 Toletanum titude of other ^f Fathers and Do-
 Agrippin. cap. 6. fters of the Church in their se-
 Hispalens. Morisif- uerall ages : all of them concur-
 concens. 2.
 I aleniunom sub Leone 4. Rothemag. cap. 3. Gauallon:
 cap. 18. Maguntin cap. 10. ^f Origen, Tertullian, Cyprian,
 Gregory, &c.

ring

g a ring in opinion, that *tithes* be-
rsa long iustly vnto God; that they
end ure to be paid. And therefore
and many of them command al men,
the eu en vpon perill of their soules
gu- not to withhold them: which
me, Argument Saint *Augustin* him-
vio- selfe most eloquently handleth
on- and effectually proueth in a per-
yer- ticular Sermon of his to this
of purpose. And in the whole
circle of my readings, I did ne-
nd- ver yet meet with many that
f.:y impugned the *Lentardus*, who
ny- lived about 1000. yeeres after
ul- Christ, taught the painment
D- of them to be superfluous and
se- idle, and then growing despe-
ar- rate, drowned himselfe, as it
lon: were to giue vs a badge of his
ian, doctrine. *Glaber. Histor. lib. 2.*
ng cap. 11. *An Author of 5 tim*

* See this
Sermon in
the end of
this booke,

14 De non temerandis

Of Oblati-
ons & Offe-
rings.

^a Urban.
epist circi-
ter An.

cripsi 2:7

^b Constan-
tine & Va-
lentinian

made laws
that rich

men which

were able

to support

the char-

ges of the

common

wealth:

should not

be admitt-

ed into

religious

houses, be.

cause their

possessions

and goods

were ther-

by amorti-

zed.

^c 2. Chron.

31.11

4 Touching oblations & offerings. The Fathers vnder this the

name accounted all things, that no
were giuen or dedicated to the no-

ther An. seruice of God. And in the first ma-

ages of Christian religion (after for-
the great Persecutions) there

Church by this meanes began off-
that rich so to abound in riches, that like

the good Emperours them of
selues were costrained, to make no

lawes (not vnlike our statutes the
of Mortemaine) to restraine the she-

excesse thereof: for feare of and
impoverishing their temporall S-

estate. In those daies, many Ch-

urches had Treasuries for kee- tha-

ping these oblations (as the day
Storehouses at Hierusalem ap-

pointed by Hezekias, for the 2. B.
Temple) but the succeeding a- cam-

ges, contracted them into pou-
ches, chestes,

Chests, and in these latter times,
the Parsons poket may well e-
nough containe them. I shall
not neede, therefore, to spend
many words in a small matter:
for all the *oblations* now in vse,
are in effect the twopeny Easter
offerings and a few other such
like: which because the owners
of Appropriate Parsonages shall
not ignorantly convert vnto
their owne benefite: I will
shew them why they were paid
and why they haue them.

Saint Paul ordained in the
Churches of *Galatia & Corinth*,
that euery one vpon the Lords
day should yeeld somewhat to
God for the *Saints*, *I. Cor. 16.*
But this (being once a weeke)
came too thicke & too often a-
bout. Therefore in ⁴*Tertullianus*
^{in Apologie}
time

16 *De non temerandis*

time the vse was to doe monthly, & (at last) at pleasure. But it was euer the ancient vse of the Primitiue Church. (2. *Hist. Eccles.* 2. *In Justinus Apologia*) that all that came to the ho

ly Communion, did according to their abilities, offer somethin

of their substance to God, for

charitable vses and mainte

nance of the Ministers. There

fore *Cyprian* sharply taxeth

a rich Matron, that received the

Communion, and offered no

thing. *Locuples* & *dives*, &

dominicu[m] celebra te credis, qu

Corban omnino non respicis, &

what? (faith he) art thou ab

and rich? and dost thou think

that thou celebratest the Lord

Supper, which bringest nothing

to the Treasury? So Irenaeus

(faith)

3 He calleth the treasury Corban, of that at the Temple of Hierusalem.

omnis

(saith) ^b That it was the use of ^b Novi Testamēti
the Church through the world in nouam do-
bis time: and received from the cuius filii.
Apostles, to offer something of the Christus job-
blessings that they lived by, as the lationem:
first fruits thereof: to him that quam Ec-
gave these things unto them: clesia ab
Which ⁱ Zanchius understandit Apostolit
deth to be meant of offerings accipiens
at the Communion: giuen to invniuersa mundo of-
holy uses & for relief of the poore fert deo: ei
of the Church: commanding it que alimen-
for an excellent custome, and pri-
complaining that it is now dis-
continued. But to this end, and
in imitation hereof, are our Ea-
ster and Communion offertories ⁱ Vide Zā-
(as also those, at, and for, Christ- chium lib. i
nights, Burials, &c. which I will no. de cultu
not now speake further of) at Dei easter-
this day made, and therefore
et Proprietaries consider with
inuestigatio

C what
Mandon Epistola in Ephesina Synodo. fuit
ad eis, se suo populo in omni primitiva Ecclesi-
sticis potuimus quare, ^{cum} ab Orientalibus depositus
uit in Cypero. Cyret Apologetic in Epist. Jobis Comis-
tacensis fol. 166 b.

what conscience they can swallow and digest them.

Of Glebe 5 Touching the land, glebe, Land, and ~~and houses~~, belonging to Parsonages ^{be-} longing to ^{sonages} Parsona- ges.

that I see it is moveable:) I can- not say that they are Gods an- ciente demaines , in the same forme that tithes are, and as our Clergy enioicth them : but the warrant and ground there- of, riseth out of the word of God, who not onely gaue vs a president thereof, when hee appointed Cities for the Levites to dwell in, with a conuenient circuit of fields for the mainte- nance of their cattel, Numb. 35 2. &c. but commanded also the children of Israel (and in them all the nations of the world

world :) that in division of their Land, they should offer an oblation to the Lord, an holy portion of the Land, for the Priests to dwell on, and to build the house of God vpon : *Ezeck.45. 1. & 4.* So that the houses and Lands that our ancestors haue dedicated to God in this manner, for the Churches and Ministers of this time : are now also his *right and just inheritance*, as well as those, which the *Israelites* assigned for the *house of God*, and *Levites* of that time : and commeth vpon the same reason and in lieu thereof. But because it is vncertaine when and how they were brought into the *Church*, I will say something touching that point.

C 2

In

How lands came to the Chur-ches.

In the time of the Apostles the vse was (as appeareth *Acts* 2.45. & *Act. 4.34.* & 35.) to sel their lands and bring the money onely, to the Apostles. For the Church being then in persecution, and the Apostles not

^a It appear-
eth by
the Epi-
stles of Pi-
us and Vi-
ban who
lived a-
bout the
yeere of
Christ, 230
that the
Church of
Rome had
then be-
gun to re-
taine lands
in this ma-
ner vpon
this reason, and it may well be, for that *Origen* & *Eusebius* shew that Churches had then possessions.

But after whē the Church obtained a little rest, and began to be settled : it ^a found much casualty in pecuniarie contributions, and chused therefore rather

es rather to retaine the lands the-
selues, given for maintenance
of Gods Priestes and Ministers:
then (by suffering the same to
be sold) to furnish the time pre-
sent with abundance, and leauc
the future time to hazard and ^{b Edicta}
uncertainty. Heereupon the ^{c Lucinij}
Fathers in the ^{d Constantini} Primitiue ^{Impp. Eus.}
Church, as well before ^{e Origen} Constan-
tine (as appeareth by his owne ^{f lib. 10. ca. 3} speaketh
Edicts, and by ^{c Origen}, ^{d Eusebius} of rents of
^{e Pius}, ^{Hom. 31.} the Churc
^{f Urban}) as after: began to ^{in Mat-}
accept and retaine the lands, ^{d Eusebius} of
thus given, and to leauc them an houle
quer to their successors, for a to the
perpetuall Dawrie of the Church of
Church. And this vpon expe- ^{Antioche} that ^{Pau-}
^{Samosatenus} in the time of ^{Aurelian} the Empe-
our (about 30. yeeres before Constantine) wrongfully
nuaded. Lib 7. cap. 24. ^{c & f} Reade the note ^(a)
ext afor, and see Burchard lib: 3 ca: 3 Videntes a
sacerdotes. ^g C 32 Urbanience

riēce was found to be so godly and worthy a course, that it not onely receiued the applause of all succeeding ages : But commendeth for euer vnto vs their temperance, in desiring no more then for present necessarie, their zeale in prouiding for posterity, and their great wisedome (or rather, Propheticall spirit) which foresawe so long before hand, that, deuotion though it were at one time hot and feruent, yet, at an other it might bee cold enough : and therefore when time serued,

and her Ministers prouide that the Church for ever, should haue of her owne, to maintaine her selfe withall. Vpon this ensued many godly prouisions for endowment of good Masters for ex- hibition and boun- uolence, they should be deare to Churches, much at syme, to vse flattery, and to yeal themselves to base subjection.

Churches, and for annexing ^{*Syned. Ro-*}
their livings so vnto them, as ^{*man. sub-*}
^{*Synachos.*}
neither the variety of time, nor ^{*103. Epis-*}
the impiety of man (if it were ^{*coporum*}
possible) should euer haue de- ^{*circiter*}
uorced them; as appeareth by ^{*An. Ch. iij.*}
a multitude of ancient Coun-
cels, Canons, Statutes, and de-
crees of the ^{*5.*} Church, ^{*h.*} Empe- ^{*503. tota*}
rours, and ^{*i.*} Princes, to that pur- ^{*contra in-*}
pose. Therefore whilst the ^{*Conc. Nic-*}
world burned so with that sa- ^{*dens. ca. 5.*}
cred fire of devotion, towards ^{*Burch. lib. ii*}
the aduancement of the glory ^{*cap. 16.*}
of God: that every man desi- ^{*Concil. Gă-*}
red to sanctifie his hand, in the ^{*grens. cap. 3*}
building of Churches, lest such ^{*Bur. lib. ii.*}
holy monuments for want of ^{*cap. 20.*}
^{*Concil. Mo-*}
^{*gunt. ca. 3.*}

^{*6.7. & plu-*}
^{*nima alia.*} ^{*b.*} See the two edicts of Constantine and Li-
cinius Epipp. Euseb. lib. 10. ca. 5. And the Lawes of
Constant: Theodos: Justin: Carol: Mag: & many other. To
passie ouer foraine Princes, our owne in former times
haue almost successiuely confirmed them.

24 Denuntiandis

due maintenance, should (in
proesse of time) become, ei-
ther contemptible, or vupro-
fitable. It was at length ordai-

& Concil. * si quia in ned, in ^k Aurelianens. Concil.
Womanecio agro suo,
ea: 18 Burch aut habet, 4 (An. 545. cap. 33. And i Con-
lib: 3 ca 52 aut postulat cil. Valentin. (An. 855) cap. 9.
babere dia-
Longob. 1. 3. cestim, p. i. That, whosoever builded a
Tst. 1. can. mum &
46. mans. ieras ei * Plough land, furnished for the
rw & ij. Gv= deparet maintenance of the Parson
mavij. & clericos: thereof. By vertue of these
qui ibidem Councils (as I take it) were the
sua officia founders of Churches in France.
impleant. first compelled, to assure Li-
ut sacratus rentia con-
dignari-
batur. Au- third Council of Toledo in
relian: Con-
cil. cap. 23. in Concil: Tom. 2. ubi nota quod diocesis
accipitur pro libertate condendi oratoria vel Ecclesias,
itaque in argumento huius capituli oratorium exponitur,
Tom. Concil. 1. Coloniam vestitam. ^m Concil. To-
let. 3. cap. 15. See Bigne: pa 52.

Spaine

Sancitū est ut vicinij ecclesiā bonus
mansus intigeret ab ipso vello servitio attribu-
eret. Womanecian: ea: 18 Burch: lib: 3 ca 52

Spaine, that no Bishop might consecrate any Church, till sufficient maintenance (which Chrysostome calleth the Dowry of the Bride) were assigned to it.

But because these were forreine, and Prouinciall Councils, not Generall: they bound not our Countrey, otherwise then by doctrine and example. Therefore it was heere decreed afterward, to the same effect in

a^o Synod at London vnder An^o Synod.
Selme Archbisshop of Canterbury, London ca.
Anno Domini, 1105. H. I. J. Britan. ca.

And though the Lawes of our 34.
Church began then first (as far
as I yet can finde) to constraine
our Countreymen to giue Endowments to the Churches that
they builded; yet we were
taught

Dynast.
bom. 15. in
Asia.

Tell Greg:
79 pnt
in Grecian
ducat. v.

Cal Malvagia et Genua et like a 747
Hew City of Lyon 26 Decembris remandis

~~did it ever happen~~ taught before (by the Custom
and Example of our precedent
Ancestors, as well, as by
our dutie, out of the word of
God) to doe the same: as ap-

Ethelredus, son) to do the same: as appears by many Presidents, wherof I will only alledge one, *Ethelredus* (but above others, that most famous) of * *Ethelredus*, king alias *Aethelredus*, ^{for} *Ethelredus*, king *dulphus.*

V. S Bernard Epist. 92 the tithe of the goods, but the
Mal: hyda Decimum tenth part of the Land through
P 37.55. mansuitem his Kingdome for ever, to God
and the Churches, free from all
secular services, taxations, and
impositions whatsoever. In
which kind of religious magni-

fidence, as our succeeding Kings
haue also abounded: so haue
they from^t time to time, as wel^t As ap.
by Parliament Lawes, as by pearthe in
their Royall Charters, confit-^{ral Lawes,}
med these and other the rights and name-
of the Church: with many so-^{ly 15 times}
lemnite^t vowes, and imprecati-^{in Edw: 3.}
ons against ~~all~~^{t See the} that should ever^{S:at:of 25.}
attempt to violate the same.^{Edw: 1. in}
Therefore if these things had Rassals A-
not beeene primarily due vnto^{d idgemēt}
God by the rule of his word,^{tit. Confir-}
yet are they now His, and sepe-^{mation 3.}
rate from vs, by the voluntarie And Sen-
gift and dedication of our anci-^{tentia lata}
ent Kings and Predecessors: as super Char-
was the "tribute of a third part^{And Pu-}
of a shckell, which Nehemiah^{p: Hanculs}^{" Neb. 10.}
and the Iewes, out of their free^{32.}
bounty, couenantid yeerely to^{So Ezechias}
giue vnto God for the service of^{comenantid}
his^{2 Cor. 29. 10.}

power aunc no potest res quod peribit non p
uentres facie vel religiofus. Beac. f. 9 b. fol. 2.
Ergo hys are 28 De non temerandis
punct. 6. in abbey or ca
¶ A.D. 15.4 house.

Ffar, as Saint Peter x saith
to Ananias: Whilst these things
remained, they appertained vnto
vs, and were in our owne power:
but now, when wee haue not
only vowed them, but deliuer-
red them ouer into the hands
and possession of Almighty
God (and that, not for super-
stitious and idle Orders, but
merely for the maintenance
of his publike diuine worship,
and the Ministers thereof) they
are not now arbitrable, nor to
bee revoked by vs, to the detri-
ment of the Church. for as S. A. Ray

¶ In nostra p[ro]p[ter]e
est p[ro]mittere ser-
uiciu[m] d[omi]no non
ante desistere
Aug: to: 10 306
m. H[ab]it in our
yours to provide
a ministe[r] to God
but not to w[or]ship
it. And therefore
M[ar]k Parkins con-
cludeth, definitivē
that Churches

and their
churc[es] and their
livings de-
dicate to
not sal- God.

able and y it is
not allowable

to sell or alienate them from the church

leaving
producing to laures of Solomon Provi: 20 25 It is
Destruction to enemie. 2 Mat: 3 8. Affirmin g
goods to be the possessio[n] of y lord. And addin
further that Whatsoeuer is unprofitable to y ch
on Comon wealth must not be sold. Tz. y Ordre
the laures of salvation & Damnation ca 28.
y 8 Command. fol 83. Ezechiel Hebrewiah
¶ 4 God

6 Churches being erected
and endowed: they and their
livings, were (as I say) dedica-
ted vnto God. First, by the
solemn vowe and oblation of
the Founders: then by the so-
lennizing them from the church
producing to laures of Solomon Provi: 20 25 It is
Destruction to enemie. 2 Mat: 3 8. Affirmin g
goods to be the possessio[n] of y lord. And addin
further that Whatsoeuer is unprofitable to y ch
on Comon wealth must not be sold. Tz. y Ordre
the laures of salvation & Damnation ca 28.
y 8 Command. fol 83. Ezechiel Hebrewiah
¶ 4 God

itemme acte of the Bishop, who
to separete these things from se-
cular and prophane imploy-
ments, not onely ratified the
vowe and oblation of the Pa-
tron or founders : but ^{* See the}
^{6 Synod.} consecrated also the Church it selfe:
using therein great deuotion,
many blessings, praiers, works
of charity, and some Ceremony,
for sanctifying the same to
diuine uses. Therfore also haue
the ancient * Councils added
many fearefull curses against all
such as shoulde either violate it,
or the rights thereof.

This consecration, Master
* Perkins calleth a Dedication,
but confesseth it to haue beene
in use in this manner, about the
yeere of Christ 300. (which is
within the time of the Primi-

^{Roms. of}
103. Bi-
shops (a-
bouc 1000
yeeres
since)

wholly a-
gainst vio-
laters of

Churches
& Church
rights.

And see
many o-
ther to
this pur-
pose. Pur-
char li. II.

^{* Demonsb.}
Problem.
tit. Templi
Sect. 3.

Some p[ro]p[ri]etate ag[ainst]
this but in fundy
oppo 119 ps:

of me alredy hat tige

7 tancus opf poprallud4 lyon ippon occidio
to be folt: Be hecuse go i3 usq; quay, God durat
and may againe yme lyours to godly foy
affphant. But m[er]ly amoung th[ose] 2 confitanc

tive Church) onely he admitteth not, that it was then performed with Ceremony and the signe of the Crosse ; which here I will not stand vpon, nor to shewe the greater antiquity therof, (though I thinke it may

In epist. ad Constant. well be proued.) For Athana-
Constant. since being in those daies accused
Imp. by the Arians, of ministering
the Communion in a Church

^{*Historia} Nic. episc. mit. lib. 1. ca. 30 selfe to haue done it vpon ne-
hoc sinne a. & Sozom. lib. 3. ca. 25 cessity. And ^a Theodoret repor-
30 Confessio Nic. lib. 11. teth, that Constantine (then like-
ni 8 ca. 500 wise) commanded, all those that

Hist. Tri- port. lib. 3. were at the Councel of Tyrus,
sol. 331. * Hierusa- should come to ^{*} Elia : and that
lem. others should be assembled from all

* Hierusalem, parts, for ^{*} Consecratio of the Chur-
ches, builded by him. Which
erare. sheweth it to bee so notorious
and

it, and generall an vse at that time,
er, and to haue such vnueriall ap-
the probation; as it could not, but
ere haue a root also from elder a-
to ges, though there cannot bee
ity many presidents found there-
ay of, for that the Christians be-
ing then in persecution, might
ed hardly build, or dedicate any
ng Churches, but were constrai-
ch ned to vse priuate houses, and
m- solitary places for their asseni-
e- blies. Yet, euен those houses,
or- had (as it seemeth) some conse-
ce- cration, for they were common-
hat ly called, * *edes sacre*, Holy hou- * Euseb. in
us, ses, and haue left that name, (to orat. de
at this day) amongst vs, for our laudib.
all Churches, as a testimonie of
ur- their sanctification, whereof I
ch shall speake more anon. * Eu- * Ibidem.
us seb. also saith: that insomuch
nd as

33 De non temerandis

as the Holy houses and Temples of
that time, were thus Dedicated
and Consecrated unto God, the
uniuersal Lord of all: therefore
they received his name, and were
called in Greeke ~~weras~~, (in Latin,
Dominica:) the Lords houses.
which name, saith hee, was not
imposed upon them, by man: but
Caius Caesar Valer. by himselfe onely that is Lord of al.
ius Max. suo dico. Of this word ~~weras~~, commeth
multe concedit h[ab]et the Saxon word Cyric or Kyrk:
centiam ex strenuus and (by adding a double as-
piration to it) our vsuall word
Ch[urch] or Church, as it were to
in dubile of writing put vs euer in minde, whose
place of Germa[nia] these Houses are: natiuely, the
nos erolpas kyr-Lords houses: like that, which
chen appellare. Iacob Dedicating unto God,
Gen.28.22 called (Bethel:) that is, the
house of God.

But both Church & Church-
livings

things were thus solemnly delivered into Gods possession; and therefore all ages, Councells and Fathers (that euer I yet haue met with) account them holy and inviolable things. And therefore they are termed,

Patrimonium Christi, Dos chrysost. *Ros Dni. 4 brys*
Ecclesie, Dos sponsæ Christi, and hom. 18. in Con. Pacifi. a°
Sacra posseſſio, or Pradium in A. 565 ca: 1. to: 2638
sanctum. For, Every thing that a man doth sepe rate unto the Lord concil. Mo. & Syn: Tironi
to: 2 660.

from the common use, whether it be man, or beast, or LAND OR stipendia. Beda h.
HIS INHERITANCE, it is Ho- ca: 27 Interrog: 2.

LIE to the Lord. Levit. 27. 28.

And in what sort I understand the word *Holy*, I haue before declared.

As then the Law of Nature, primarily taught all Nations in the world to giue these

holyrights
& temples
how re-
pected by
heathens.

D things

things vnto God : so the very same Lawe, also taught them that it was sacrilege and impiety to pull them backe againe : yea, the very heathen, counted the things thus sacred vnto their Gods : to be *sancta & inviolanda*. And Saint Augustin expoundeth, *Sanctum illud esse, quod violare nefas est.* It is execrable wickednesse, to violate that that is holy. *Phara*

Gen. 47. 21.

would not abridge the Priests of their diet, or lande: no, not in the great famine. The very Barbarous Nations of the world, euen by the instinct of nature, abhorred this impiety. *Diodorus Siculus* noteth of the Gauls ; that though they were a people aboue all others, most couc-

Bibliothe.
Historib.
5. fol. 305.

couetous of gold: yet having abundance thereof, scattered in all parts of their Temples to the honour of their Gods: none was found so wicked amongst them, as to meddle with any of it. I could alledge a multitude of Heathen stories to this purpose. But I will not weave the wollen yeare of the *Gentiles*, into the fine linnen garments of the *Christians*; I meane, I will not mingle profane arguments, in a discourse of Christian piety. For the sheepe that are of the fold of Christ, are tyed onely to hear his voice, and to follow Job. 10.3. that, which if they doe not, they are thereby knowne to be Goats and not of his folde.

8 The cause why I touched How fear-

D 2 vpon

ful a thing upon this one heathen exampel is to aggravate the manifold sinnes of vs Christians, in this point. For if they that knew not God were so zealous of the glory of their Idols: how much more is it to our condemnation, if wee that know him, doe lesse regard him? If it goe hard with Tyrus and Sydon in the day of judgement that sinned ignorantly; how much harder will it be with Corasim and Bethsida that sinne presumptuously? Especially, with Capernaum that despiseth her Lord God and master, Iesas Christ himselfe? What is to despise him; if to robbe him of his honour, bee not to despise him? Or what is to robbe him of honour, if to take from him,

the

the things given him for maintenance thereof, be not to rob him? Therefore, when the children of Israel, withheld their tithes, and offerings from the Levites, hee crieth out in Malachy 3.8. That himselfe was robbed and spoiled: and was so highly offended therewith, that he cursed the whole Nation for it. And to make this sinne appear the more monstrous, hee conuinceth the offenders therin: not onely to be violators of his legall ordinances: but even of the very law of Nature, written in the heart of euery man. For, saith he, will any man spoile his God? As if he should say: Can such a man bee found as will, or dares commit that sin, than all the nations of the world.

world, even by the instinct of nature, account to be so horrible and impious? To spoile his God: what, his owne Gods? Some were found, that now and then aduentured, to spoile the gods of other nations (yet not without punishment) but few, or none that I reade of (till these latter daies) that spoiled their owne gods, in apparent & ayent maner, as the Lawyers terme it. I compt it not ouer and apparant, when wee doe as *Ananias* and *Saphira* did: pinch and detract from God, somewhat of that wee vowed to give. Nor, when wee doe as the children of *Israell* here did: whithhold that which wee ought to pay out of our owne goods (yet both these were heinous
blow. *et cetera*)

heinous sinners, and dreadfully punished.) But I call it ouer and apparent, when we thorw our selues into a more dangerous sinne, by invading openly the deuotions of other men, and taking that from God and from his Church (as *Athalia* did) which we never gave vnto it, eu'en the lands and livings thercof : yea, the Churches themselves,

*2. Chron. 24.
vers. 7.*

8 Doubtlesse we haue much to feare in this point : For as it is a transcendent sin ; so *David* laboring to match it with a transcendent punishment, bestoweth a whole Psalme (viz. the * 83.) in invyng particularly against these kind of sinners : such (expressly) as would take to themselves the boordes of God in

*Davids
zeale for
the house
of God.*

y Psalmiste.

* This
Psalme is
alledged
to this
purpose
by *Lucius*
(who was

40 De non temerandis

marred
about An.
cōr. 255.)
in his E-
pistle to
the Bi-
shops of
Gallia and
Spaine.
Tom. Con-
cil. 5.

possession for that onely is the
very center of the *Psalme*, and
therein doe all the lines and
projections of the Prophets in-
uectives, concurre. First hee
maketh a flat opposition be-
twene God and them : and
therefore calleth them his ene-
mies. Then, he describeth the
nature of these kinde of ene-
mies : namely, that they are
murmuring enemies, as grudg-
ing, and enuying at the prospe-
rity of the Church : Malicious
enemies: as hating, or hurting
the seruice of God. Proudene-
mies, as lifting up their heads a-
gainst God, verſe 2. Crafty ene-
mies: as imagining how to be-
guile the Church. Cōſpiring ene-
mies: as taking Cauſel together
against Gods ſecret ones (as tho-

Pro-

Prophet calleth them,) that is,
Gods seruants and Ministers,
verse 3. And lastly, Confederato
onaries : as combining them-
selues one by example of ano-
ther, to perseuer in their course
of wronging and violating the
Church. verse 5. Yet for all
this those against whom the Pro-
phet thus enueigheth : did not
that they desired. They dis-
couered their malicious purpose
by word of mouth, saying :
Let us take to our selues the houses
of God in possession. But they
onely said it, they did it not.
Their will was good, but their
power failed. Our will and
power haue both preuailed : for
we haue got the *houses of God*
into our possession : His Chur-
ches, his lands, his offerings,
OMNIS

his holy rights. We haue gotten them, and led them away captiue, bound in cheines of yron : that is so conuiced and assured vnto vs , by Deede, by Fine, by Act of Parliament, as if they neuer should returne againe vnto the Church. But heare what *David* saith to those of his time. Marke how he praieth for them. Mark what straige and exquisite punishments, hee designeth to them : and that in as many severall sorts, as there are severall branches in this kinde of sinne.

First, hee praieth, that God would deale with them, as hee did with the *Madianites* ver. 9 That is, that as *Gedon* by Trumpes and Lampes, strooke such a terror in the night time, into

into the hearts of the *Madianites*: that the whole army fell into confusion, drew their swords one vpon another, were discomfited, and 120. thousands of them slaine. So that God, by his trumpets, the Preachers of his word; by his Lamps, which is, the light of the Gospel, would confound in like manner, the enemies and spoilers of his Church, that sleepe in the night of their sin: And that he would make them like *Oreb*, and *Zeb*, like *Ze-ba* and *Salmana*, verse 11. All which were strangely ouerthrowne, died violent deaths, and beeing glorious Princes of their nations, became like the filthy and loth-some, *Dung of the earth*, verse

44 De nos remeandis

10. And Judges 7.25 & 8.21.

But doth the Prophet stay
here? no, hee goeth on with
them: O my God (saith hee)
make them like a wheel, ver. 13:
that is, wavering and unsta-
ble in their actions: so as
they may never bring their
purposes to an ende. Yea,
make them abiect and con-
temptible; Like the abaffe that
the wind scattereth from the face
of the earth, verse 13. Well, is
he now satisfied? no. All this
doth but whet his spirits to
sharper imprecations. He now
desireth, that the very floud-
gates of Gods wrath may bee
broken open vpon them; and
that the tempest of his indig-
nation may rage at full against
them; now hee cryeth out to
God

God to consume them without mercy, yea and that in two terrible manners. One naturally, *as the fire burneth up the wood*. The other miraculouſlie, *as the flame consumeth the mountaines*, verſe 14. Perſecute them even ſo, (iāth hec) with thy tempeſt, and make them afraide with thy ſtorme. Make their faces abſhamed, O Lord; that they may ſeek thy name. Let them bee confounded and vexed euer more and more, let them bee put to ſhame and periſh. verſe 15. 16. 17. How ſhould the wit of man diſcouer and proſecute a ſinne in more vchement and horriblc manner? Or, what ſhall make vs to abstaine from ſuch haughty ſinnes? if all this preuaile not. Well, if to take
the

the houses of God into possession, bee thus I take them that will for me.

¶ Psalmist

The zeale
of our Sa-
uiour to
the house
of God.
And of
the parts
of the
Temple.

*This was
spoken in
ff*

9. You see how *David* in this his sacred fury, was admirably carried against this sinne. Well therefore might hee say; *The zeale of thine house hath eaten me up: Psal. 69. 9.* Yet, he spake ~~it not~~ of himselfe alone: but in the person also of our Sauiour Iesus Christ; who in prosecutiō of *David's* zeale, did that in this case: that he never did at anytime else in al his life. In all other cases, hee shewed himselfe like the Pascal Lambe, that every body did eat & devoure at pleasure; and like the sheep that was dūbe before the shearer, euен when his very life was taken from him. But when he

he saw the golden fleece, to be taken from the house of God: that is, when hee sawe the Church his beloued spouse, depriued and spoiled of the honour, reuerence, duty, and ornement, that belonged to her: Then, ~~as David did,~~ hee groweth into a sacred fury; he leaueth the mildnesse of the Pascall Lambe, and taketh vpon him the fircenesse of the Lion of Iudea. Then hee beginneth to bestirre him, and to lay about him. Hee whippeth out them that prophaned it; driueth out their sheepe and their oxen, though they were for the sacrifice: and ouerthroweth the table of the money changers: *John 2. 14.* Hee would by no meanes indure such

Mat. 21. 13

Mar. 11. 17.

Luk. 19. 45.

trum-

trumpery to bee in his Fathers house, nor his Fathers house to be made in house of Merchandise; but much lessethen, that merchandise should bee made of his Fathers house it selfe. O fearefull and most inhumane sinne, whereto referrers ad. vijij bopolij 30ij lliij
But here I depart from this place of Scripture; let me not done thing more out of it, for the greater reverence of Churches. That although our Lord be heere said, to have cast these things out of the Temple; yet, in truth, they were not in the Temple it selfe, but in the outward Court or yard therof. For within the inward parts of the Temple, (namely, the first, and second tabernacles) did no man

man after, but the *Law* Num 18;
Priests: and of them also, none *Ent* Heb. 9.2.3.
into the second Tabernacle, but 4.5.6.
the High Priest. Therefore,
although our Saviour Christ,
were a Priest for ever after the
order of Melchisedek: yet be-
cause he was not a Priest of Le-
vy: but of the Tribe of Juda
(of which Tribe Moses spake Christ
nothing touching the Priesthood, came to
Heb. 7. 14.) I take it, that he Law, & not
never came within these parts to break
of the Temple: nor where the ~~for~~ (out)
Sacrifice was: but frequented ~~it~~ he
only b. *Atrium popu'z*, the court obserued
thereof, and the quality of his Tribe. * See the forme
of the Temple in *Artes Montanæ Antiquitatem Iudaicæ*,
lib. Arise, and in the Geneva Bible, Keg. cap 6, and
make well both it, and the Notes upon it, for I finde
them (above others) most agreeable to the Scripture,
and relike not upon the figure of the Temple in *Adrie-*
omina, without good examination, for I perceive he
hath misplaced somethings therein.

E ward

ward comit from the Temple.

* See the For into this onely, the * people resorted : to worship, pray, among the and heare the word of God ex- notes a- pounded, nor pressing further foreaid.

* 2. Chron. 6.13. the middest whereof (the * bra-

sen stage which *Salomon* praid vpon) was erected. Yet, this very place ; this court, or outward yarde, would not our Saviour permit to be prophaned : neither with market matters, nor with carrying so much as a burthen or vessell through it, *Mark. 11.16.* For though it were not so *Levitically* holy, as the Temple : yet it was dedicated to God, with the Temple : And taken often in the new Testament, for the Temple : as in the places before al- leaged

leaged: And ~~acts~~ 3. 2. 3. By which reason the very Church-yardes themselves (being Dedicated with the Churches, and the principall soile thereof : as an old Satute witnesseth) seem also to haue in them a certaine kinde of *Sanctification*: and are not therefore to bee abused to secular and base employments: as not onely the Ancient Fathers, by the Canons of the Church: but the present lawes of the Land, haue well prouided for them.

*Stat. Ne
Rectores:
prosternant
arbores in
Cimiterio.*

10 But some will say, that the *sanctification* of the Temple was *Leuiticall*, and therefore abolished, and not to be applyed to our Churches. I answer: the Temple was sanctified vnto three functions; which also had

*More of
that mat-
ter: and
how faire
the sancti-
fication of
the Tem-
ple is abo-
lished: or
remained
to our
Churches.*

ward court from the Temple.

• Set the For into this encly; the people resorted: to worship, pray, among the and heare the word of God expounded, not pressing further notes a- foreaid.

• 2. *Chron.* the middest whereof (the bra-
6.13. sen stage which *Salomon* praid
upon) was erected. Yet, this

very place; this court, or out-
ward yarde, would not our Sa-
uiour permit to be prophaned:
neither with market matters,
nor with carrying so much as a
burthen or vessell through it,
Mark. 11.16. For though it
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cated to God, with the Tem-
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new Testament, for the Tem-
ple: as in the places before al-
leaged

leaged: And *acts* 3. 2. 3. By which reason the very Church-yardes themselves (being Dedicated with the Churches, and the principall soile thereof: as an old Satute witnesseth) seeth also to haue in them a certaine kinde of *Sanctification*: and are not therefore to bee abused to secular and base employments: as not onely the Ancient Fathers, by the Canons of the Church: but the present lawes of the Land, haue well prouided for them.

10 But some will say, that the *sanctification* of the Temple was *Lewitall*, and therefore abolished, and not to be applyed to our Churches. I answer: the Temple was sanctified vnto three functions; which also had More of that matter: and how faire the sanctification of the Temple is abolisched: or remaneth to our Churches.

52 De non temerandis

three severall places, assigned to them. The first, belonged to the Divine presence ; and had the custody of the Holiest types thereof; the Oracle, the Arke, the Mercy seat, &c. and was therefore called *Sanctum Sanctorum*, or the Holiest of all. The second, was for ceremoniall worship, and attonement : namely, by sacrifice, oblations, and other Leviticall rites : the place thereof beeing the *Sanctuary*, (wherin were the *Holy vessels*) and the Court of the Priests, wherein the Altar of burnt sacrifice did stand. The third, was for simple worship, praier, and doctrine, (without any pompe or ceremony :) and the place of this, wasthe outward Court,

^{1. 2. Chron.} ^{4. 9. & 6.} ^{1. 2.} (called, * *Atrium populi*, and

* *Salo-*

* Salomons portch;) whiche there- * A.B. 31.1
fore had in it no Ceremoniall im-
plement at all.

The two first of these functi-
ons, with the places, belonging
to them : were indeed, particu-
larly appropriate to the Law.
For, they were *Ceremoniall, My-
sticall, Secret, Leuiticall, Iuda-
icall, and Temporall Ceremoniall*,
as celebrated with much world-
lie pompe. *Mysticall*, as figu-
rating some spirituall things.
Secret; as, either performed
behinde the Veile or Curtaine;
or else, sequestred and remote
from the people. *Leuiticall*, as
committed onely to the Ad-
ministration of that Tribe. *Iu-
daicall*; as ordained onely for
the saluation of that people.
And *Temporall*; as instituted
E 3 onely

54 De non temerandis

onely for a season, and not to continue. But the Sanctification, of the third function: and of the place thereto appointed: was directly contrary in all the points alleged to the former two. First (as I said before) it was for simple worship, Praier and Doctrine which were there to bee performed and delinuered in all sincerity, without any ceremony, or ceremoniaall implement vsed therein. Secondly, there was no matter of Mystery therin to be scene: but whatsoever was Mysticall in the Law, or the Prophets, was there expounded. Thirdly, nothing there, was hidden or secret from the people, but acted wholly without the Veile, and publikely for every man. Fourthly, it was not appropri-

appropriate to the *Leuitis*, but common alike to all the Tribes. Fifthly, not ordained for the *Jewes* particularly, but for all Nations in generall. And lastlie, not to endure for a time, as those other two of the Law) but to continue for euer : even after the *Gentiles* were called as well as the *Jewes* : that is, during the time of the Gospell; as well as the Law. Therefore, saith God, by *Iesaias* the Prophet, cap. 56. 7. *My house shall be called an house of prayer, to all Nations.* He said not, an *House of Sacrifice to all Nations* : for the *Sacrifice* ended, before the calling of the *Gentiles*, and so they could haue no part there-of. NOR an *House of prayer* for the *Jewes* onely, for then had

E 4 the

56 De non temerandis

the Gentiles (when they were called) bee[n]e likewise excluded. But an *House of praier to all nations*, that is, Iewes and Gentiles indifferently: which therfore must haue relation to the times of the Golpel. And consequently, the *sanctification* of that house, & of that function; is also a *sanctification* of the Churches of the Gospel.

We reade not therefore, that Christ reformed any thing in the other two functions of the Temple, for they were now, as at an ende. But because this third function was for ever to continue to his Church: therfore he purgeth it of that, that prophane[n]d it; restoreth it (as he did mariage) to the originall sanctitie; And that the future world (which

(which was the time of the Gof-
pell) might better obserue it,
then the precedent, and time of
the law had done; he reporteth,
& confirmeth the *decreet*, wher-
by it was sanctified: *It is written*,
saith he, (as producing the re-
cord and words of the founda-
tion) *My house shall bee called an*
house of praier to all people. Hee
saith, *My House*, as excluding al
other, frō having any property
therein; for, God will be Ioint-
tenant with no man. And it
shall be, *An house of praier for al*
people: that is, publike for euer,
not priuate, nor appropriate to
any: nor a *denne of theenes*, that
is, no place of Merchandise, or
secular businesse, as *S^r. Jerome*
expoundeth it. It must not
be an *Impropriation*; no man
can

58 De non temerandis

can, or may hold it in that
kinde.

The time also when our Sa-
uiour pronounced these words
is much to the purpose : as it
seemeth to me. For it was after
he had turned out the oxen and
doues, that is, the things for
the *sacrifice*. As though, hee
thereby taught vs, that when
the *sacrificall* function of the
Temple was ended : yet the
sanctification thereof, to be an
house of praier, foreuer remai-
ned.

Saint Paul
main-
tai-
neth the
reuerence
of the
Church.

II This doctrine of our Sa-
uiour, is continued vnto vs by
Saint Paul : who, seeing the *Co-*
rinthians to prophan the
Church, with eating and drink-
ing in it : though much good
might follow thereby, (beeing
order-

orderly done) as the encreasing
of amity, and the relief of the
poore, yet because it was a-
gainst the reverence of the
place: he not onely reproueth
them for it, demaundering if they
had not houses to eate and
drinke in at home, but skearing
them also (by shewing the dan-
ger they were falling into) hee
speaketh to them as with ad-
miration: *Despise ye the Church* 1 cor. xi. 22
of God? As it he should say, is
your religion now come vnto
that? or is that your Religion,
To despise the place that God hath
sanctified unto himselfe; by ma-
king it, as Saint Jerome saith,
triclinium epularum, a banque-
ing house. God wondered in
slacky that any should spoile
their gods. And the holy Ghost
here.

60 De non temerariis

heere wondreth, that any shoulde despise the materiall Church : for so Saint Jerome expoundeth it.

Thus both of them wonder at one and the same thing : that any man should bee so irreligious, as to profane the reverence due vnto God, and that that is his.

The zeale
et siue of
the Fa-
thers: o
the
Church.
Serm. de
temp. om.
10.234

215 fol
234

12 So precise therefore were the Ancient Fathers in this point , that, that mecke Saint of God, Saint Augustin, would by no meanes endure that any should vse clamours, or dauncing within the ~~view~~ of the Church. Yea, he termeth them, *Miserable and wretched men that did it.* And denouncesth against them, that *If such came Christians to the Church, they went Pagans home.* But when

In oratorio pectore arandi et psallendi
cultu ventus nihil agatur: ut nominis
hunc, & opera magiter impensa concordet.
Aug: Epist: 109. In requie monachis: sed
et non his verbis v. 4. 2 p: 105 M. 83
Destine quæ in oratorio:

when the Church it selfe came
to be abused ! Oh, how Saint
Ambrose taketh it, even against
the Emperour himselfe, great
Valentinian that required it for

an Arian. O (saith hee) let him ^{ad Mar-}
askethat is mine , my lands, my ^{celluam}
goods, and whatsoeuer I possesse, ^{so oremus}

Epist.33.

I will not deny them, yet are they
not mine, bnt belong to the poore.
Veramea que diuina sunt, &c.
saith he , but those things that
are Gods, are no: subject to the au-
thority of the Emperour. If my
lands (I say) bee desired, enter
them a Gods name : If my body,
I will carry it him: If he will have
me to prison, yea, unto death, it
pleaseth me well, I will not defend
my selfe with multitude of people,
neither will I flye to the Altar de-
firing my life, but with all my heart

res paup' nō
tollenias non
Moqu: 1. ca 7.
et epi habeat
potestate res
ecclesiast. pni-
dix regaz
gubernare ex
ca 8. / 10: 3A
464

2 not grecia
tormentorum q
Sacris ratis
Euf: 13: 2 ca 22.
in dominio

in legem Cancell: ^{will} 2 loc: to Con: 3A p 606.

In fine e-
iusdem E-
pis tol.

will die for the Altars. And after, in speaking of the impious Souldiers. O that God (saith he) would turne their hands from violating the Churh, and then let them turne all their weapons upon me, and take their fill of my bloud. And many such excellent speaches hee hath for the sanctity of the Church and of the reverence due vnto it, in his Oration, *De Basiliis tradendis.*

My purpose is to bee short; I will not therefore, now enter any further into the authorities of the Fathers: or meddle with the Councils and ancient Canons of the Church which abound so in this kinde of zeale, and haue establyshed it (against the *Eustathians*, *Messallians*, and Churches *Fraticelli*, * hereticke: and all other.

* Hereticks which
cōremned.

other the enemies therof) with
so many examples, admonitions,
exhortations, precepts,
threatnings, curses, and excom-
munications : as it requireth a
booke alone to repeate them.

13 It seemeth a smal thing Sacrilege
not to bee
suffered in
the least
to dance in the Churchyard,
or to eate and drinke in the
Church. But *sanctification* (saith things.

Ierome speaking on this mat- coment. in
ter
ter) consisteth also eu'en in the smal 2 Corin. 11.
22. to. 9
Ecclua. 25.
27.
things. Therefore *Ecclesiasticus*
aduiseþ vs, that *wee give not*
the water passage, no not in a little.
For hee that openeth the wa-
ters but a little, knoweth not
how great a breach they will
make at length. So is it to make
an entrance into sinne, or to
breake the reuerence of holy
things in trifles.

There-

Thereofore God punnished
seuerally the very perty offend-
ders in this kind: not *Corah*
onely and his company, that
inuaded the high funtions of
the Priesthood: but even him
that gathered the stickes on
the Sabbath day. *Numb. 15.34.*
And poore *Vzzah* himselfe
(whom *David* somuch lament-
ted) that did, as it were, but
stay the Arke from shaking;
(*2. Sam 6.6. & 1. Chron. 13.9.*)
And yet died for it, because
his hand was not sanctified to
that purpose.

An admo-
nition to
them that
meddle
with holy
things.

I conclude this point
with the saying of *Salomon Pro.
20. 25.* (and let all men well
consider it.) It is a snare for
man to deuoure that which is san-
ctified, and after the Vowes, to en-
quire:

quire. A Snare hath three properties. First, to catch suddenly. Secondly, to hold surely. Thirdly, to destroy certainly. So was *Vzza* taken ere hee was aware: hee did but touch the *Arke*, and presently hee was catcht. King *Vzziah* did but meddle with the incense, and presently the *Leprosie* was on his face: 2 Chron. 26. 19. *Iero-boam* did but stretch out his hand against the Prophet, and presenly it withered: 1 Kin. 13. 4. And as a man falleth suddenly into it: so is it as hard to get out. *Vzza* died in it presently. *Vzziah* languished in it all his life, and then died in it also. *Corah*, *Dathan*, and *Abiram* were no sooner caught in this snare, but it held them so

F sure-

Surely, as when al Israel else fled, and escaped; they, and their companions (most miserable men) were detained in it, to their notorious destruction.

I might here take iust occasioⁿ to remember what hath hap-
ned to many in this Kingdome, that became vnfortunate after
they medled with Churches, and Church livings. But I will
runne into no particularities. Let those men, and those fami-
lies, which are *unfortunate* (as we terme them) consider, whe-
ther themselves, their Fathers, or some of their Auncestors,
haue not beeene fettered in this snare.

*Much howe many
of hem haue ex-
sayed hem to haue
theade & 4 gmen:
thoode & capitol.
Carol. lib:6 ca: 3,*

*See Examples haue
of 77 a 1^a vph 19.*

And let the Proprietaries of
and agt that in ver Parsonages also well consider
y^e Church goods by these things. For, if Vzza died,
Synod of Treron 2^o ¹⁰⁹ that
cap: 25 denounceth the 108 ps: 64 agt Indas nof
it is sayd let his posterity be destroyed in
next generacion let his name be cleane purged
To: 2 p: 660. and hym in liban and byrme and
L^e 8 hym from his fulþer. Consider of y^e p
lur: 48. Cromwell by 11 of y^e Parliament.

that did but touch the Arke to
saue it : what shall become of
them, that stretch out their
hands against Churches to de-
stroy them ? If the stickgatherer
was stoned, for so small a pro-
phanation of the Sabbath ?
What shall they looke for, that
by destroying the Churches,
destroy also the Sabbath it
selfe, (in a maner) as taking a-
way the place appointed to
the publike sanctification ther-
of. And if *Corath, Dathan, and*
Abiram, offended so hainously,
in meddling with the things
of the Leuiticall Priesthood,
though they employed them
to the seruice of God : what
haue they to feare, that vsurpe
the things of the Gospel, and
peruerit them wholy to their

68 *De non temerandis*

owne vse, from the seruice of God? Yea, that pollute his Churches and houses of prayer to seruile & base offices: leauing the Parishioners vncertainlie prouided of diuine seruice, to the destruction, both of the Priesthood it selfe, and of the seruice of God in generall.

A surmise answered. 15 But they wil cōfort them-selves with this : that though the Churches be sanctified to some purpose, yet the sanctity thereof differeth from *Leuitical sanctificatiō*: and that God doth not now kill any from heauen, for prophaning the things of the Golspell; as he did then, for prophaning the things of the Law. I answer : the sanctity indeede of the one differeth from the sanctitie of the other.

For

For the **Leuiticall** things were sanctified by the hand of man, to bee matter of Ceremony: but the **Churches** of the **Gospel**, are sanctified by our **Sauio**ur himselfe, to bee houses of praier. Not that praier is to be vsed onely in these places, but that these places are onely to be vsed for praier. And we must not presume that God sleepeth because he punisheth not (now as he did of old) the cōtemners of his worship. For as the Law consisted in visible and temporall things, so the punishments therein, were for the most part visible & temporall. But the **Gospel** concerneth things inuisible and eternall, and therefore the punishments assigned therein, are for the most part, inuisible

F 3 and

70 De non temerandis

and eternal.

Another
surmise
answered.

16 They haue also an other comfort, and that is, so that though these things were once Spiritual, now they are made temporal by the Lawes of *Dissolution*, and especially, by the Statute of 32. H. 8. cap. 7. It is true that those Statutes, apply diuers Law termes vnto these things, that properly belong to temporal inheritances: and that the Statute of 32. H. 8. hath made them *demandable* by original Writs, & hath given certaine real actions, and other courses for recovering and conveying of them in Temporall courts: because Lay-men could not in former times haue sued for things of this nature in any Court of the Kingdome. But this

this prooueth not the things ^{Differ non}
themselves to be therfore tem-
porall, (no more then that an
Englishman is a Frenchman,
because hee saileth in a French
bottome.) For vpon the same
reason the Statute giueth also
other actions (for recovering
of *tithes* and *offerings* withheld
&c.) in the Courts Spiritual.
They then that out of the one
part of the Statute will haue
them temporall, are by the o-
ther part enforced to confesse
them stil Spiritual, and so to
make them like a Centaure:
prolem biformem. It were very
hard (in my vnderstanding) to
ground a point of so great con-
sequence, vpon subtily of
words, and ambiguous impli-
cations, without an expresse

letter of Law to that purpose,
especially, to make the Houses
and offerings of God, temporall
Inheritances. But I see it is a

^{Term Pas.} Law questiō in my Lord ^{Dier,}
^{An. 7. Ed-} whether tithes be made Laye or
^{6. Anne} Temporal by any words in
^{fol. 83. b.} those Statutes. And therefore I
must leau this point to my
Masters of the Law, who haue
the key of this knowledge one-
ly in their owne custody. Yet I
thinke I may be so bold, as to
say thus much out of their own
bookes, that a Statute, directly
against the Law of God is vaid.
If then Tithes be things spiritual,
and due de iure diuino, as many
great Clarkes, Doctors, Fa-
thers, some Councils, and (that
ever honorable Judge & oracle
of Law) my Lord Coke himselfe
in

and a law
grounded
upon a falle
Sumpcio is
not to be hol-
gan in France
hoc: 4. Sth: 46.
ca. 19.

^b Dott. &
fuu.ca.6

^c See AUG.
Ser:219. de
Temp. Hou-
siers, and
most Ca-
nonists.

Concil.

Mortise.2.

cap.50.

Concil. Mo-

38. alias 10,

gunt.cap.

lions & Cato Confess amongst them
y Cui Eccelesiis lions so much applaud
Nor in modicis aduersitatem immortal
in the second part of his Re-
ports, affirme them to bee : I
cannot see how humane Lawes
should make them Temporal.

Of the same nature therefore
that originally they were of, of
the same nature doe I still hold
them to continue. For manen-
te subiecto, manet consecratio, ma-
net dedicatio. Time, Place, and
Persons, doe not change them,
as I take it, in this case. Nabu-
chodonozor tooke the holy ves-
sels of the Temple, hee caried
them to Babylon, hee kept them
there all his life, and at last left
them to his Son and grandchil-
dren : but all this while, the
vessels still remained holy. Yea,
though they were come in-
to the hands of those that were
not tyed to the ceremonies of
cōpescit restitutio etiā munus aliquādo aggressurā.

W̄simes
sont choses
spiritual, &
due de iure
divino. Le
ençg. de
Winch: case.
fol. 45.

Ne scio quo
fato sit ; ve
cadem iepo-
ris periodo
(viz an. 68) Pa 173 c.
post erexitas
per Nabuc:
& H. 8. res
temporum :
firps utris-
que regia
extinctis sit.
imperii u-
blatum, &
ad extra-
neos princi-
pes denula-
tum. Ulter
vivo igitur
speremus,
Cyrū nostrū
Iacobū regē
(quis cœptis
diffidens lenti acce-

the est. Henricus aliis
fratrib in rama in star Alfolord
suspensus nullus vixit sagitta
in cancer paret, & ipsius mortuus signature
hibetur anno 68 post conquisitionem pagani
extincto feliciter suis Henrico omnia peccata
deinceps ab extenuo Stephano suscepit est 21

¶ An argumentis Comitis deuolutorum
¶ Species mapa Carta mons T. Bayes.
74 De non temerandis

the law, and at length into the
handes of them that had
them by a lawfull succe-
sion from their Fathers and
Grandfather: yet as soone as
they beganne to abuse them to
prophanes: that very night
Belshazzar himselfe died for it,
the line of Nabuchadonozor
(that tooke them fr̄ the Temple)
was extinct, and the King-
dome translated to an other
Nation. Dan. 5.2.

A third
furnie
anwered.

17 Happely also, Lay ap-
propriaries comfort themselves,
that if they may holds these
things, by example of Colles-
ges, Deanes, and Chapters, &c
Bishops of the Land, and of the
King himselfe. Before I speake
to this point, I take it by pro-
testation, that I haue no heart
to

to make an Apologie for it. For I wish that every man might drinke the water of his owne well; eat the milke of his owne flocke, and liue by the fruit of his owne vinyard. I meane, that euery member might attract no other nutriment, but that which is proper to it selfe. Yet are they greatly deceived, that drawe any iuste encouragement from these examples. For all these are either the Seminaries of the Church, or the Husbandmen of the Church, or the Fathers and nurses of the Church: all *de familia Ecclesie*, and consequently, belonging to the care of the Church, and ought therefore to be susteined by it: for Saint Paul saith: *He that provideth not for his owne*,
and

Alechurch and namely for them of his house-
 reuenues hold, he denieth the faith, and is
 wer at first paid to Bi- worse then an infidel. 1. Tim. 5.8
 shops ad. Therefore before the Statutes
 by the dis- of suppression of Abbies, those
 tributed to the priests, that were not merely Ecclesi-
 poore, &c. astical persons, yet if they were
 after the mixt, or had Ecclesiastical iu-
 Bishops were to risdition, they might by the
 have a 4. Lawes of the Land, participate
 part of all tithes. Per Ecclesiastical liuings, and
 Concil. Au- b. Tithes particularly. And this
 relian. Mo- seemeth to take some ground
 gun. Tribut. Hanet: &c. out of the word of God. For
 Et per Cœc. the prouincial Levites (as I may
 Tariason. the 3 part. terme them) whom David
 b. Plowd. in seuered from the Temple, and
 Quar. imp. placed abroad in the countrey
 per Grend L. coke Re. to bee Rulers of the people, in
 port. part. 5. matters pertaining to God, and the
 fol. 15. c. 1 Chr. 26. Kings businesse, (that is, spiritu-
 ally and Temporally:) had their
 d. 2. Chro. 17. 7. 19. 8. portions

& Joh. ha-
 phat

portions of tithes notwithstanding, as well as the other Levites that ministered in the Temple. Now, that the King is
 b Personamixta, endowed as wel

^{b See Plow.} So brifam den in an derasg
 with Ecclesiastical authority, ^{Quar. Imp.} Qua. Enr. 1502
 as with Temporall: is not only

a solid Position of the Common Law of the Land, but confir-
 med vnto vs by the continuall practise of our auncient Kings,

ever since, and before the Con-
 quest, even in hottest times of Popish feruency. For this cause at their coronatiōs, they are not only crowned with the diadem

of the Kingdome, and girt with the sword of Iustice, to significie

their Temporall authority, but are annointed also with the

* oyle of Priesthood, and clothed

3. tit. Vide de Roy 103. Ex Dom. Coke Repor. part 5.

Reges sa. cro oleo vn. Eli, sunt spiritualis invisidit-

onis capa- ces 33. Ed. facta no

Stola doli fide oleo facio.

quærz:

Mosē had temporall iurisdiction as
 he was owner of 5 people & a leathirall
 function as being a Lemte p' ordynar of
 Aron. so fmyc.

Sacerdotes stolam portant propter signum castitatis. Conf Capit. Lxxviij. Ludo. 1. 6. et ea. 169. oecumenice decat. ap. 2. in. 8. De non temerandis Archon. lxx. 2. tenui.

Alba.

Dalmatia

est vestis,

qua modo

utuntur

canes dia-

coni ex con-

fuetudine

in solenni-

tatibus. ut

X Sic Deat:
et fult. pro
76.

Stola sacerdotali, and veste d' Dal-

matica, to demonstrate this

their Ecclesiastical iurisdiction,

whereby the King is laid in the

Law to be *Supremus Ordinarius*

and in regard thereof, amongst

other Ecclesiasticall rights,

and prerogatives belonging

vnto him, is to have all the

Tithes (through the King-

dome) in places that are out of

Pape, nec any parish, for some such there

Episopis, be & namely, diners. Forrests.

nec Diaconus licetbar

But for all this: O that his

Maiestie would bee pleased

to remember Syon in this

point. But if he will

not do so, then let us

ad facella

Deacons Alba tempore oblationis bonorum et lectionis utatur. bust. 93 c. 19. n. b. G. Alba. id est dalmatica. argum. quest. 3 presbyter.

I grow too tedious, yet before I close vp this discourse let me say one thing more to the *Approprietaries of Churches*, that happily, they hitherto haue not dreamed of. And that is, that by hauing these Personages, they are charged with Cure of soules, and make themselues subiect to the burden that lieth so heauily vpon the head of euery Minister: to see the seruice of God performed, the people instructed, and the poore releueued. For to these three ends, and the main-tenance of Ministers were personages instituted, as not only the Canons of the Church, but the booke of the Law, and particularly the Statutes of 15. R. 2. cap. 6. And 4. H. 4. ca. 12. doe mani-

manifestly testify. And no man may haue them but to these purposes, neither were they otherwise in the hands of Monastical persons nor otherwise giuen to the King by the Statute of Dissolution, then ^a in as large and ample manner, as the governors of those Religious houses had them, nor by him conueied otherwise to the subiects. For, *Nemopotes plus iuris in aliis am transferre, quā ipse habet.* No man may grant a greater Right unto another then bee hath himselfe. And therefore, goe where they will, *transiunt cum onere,* they carry their charge with them. Upon these reasons Proprietaries are stil said to be, ^b Persons of their Churches, & vpon the matter, are as the Incumbents there.

^a See the extent of these words in L. Coke, part. 2. fol 49. And note also that Parsonages appropriate, are not mentioned in that Statute of 27. H. 8. and the word (tithes) there seemeth to be meant of tithes belonging to the bodies of the Monasteries; not of Parsonage tithes. Ideo quare how

the King had them before the Statute of 31 Regni sui.

^b Person in personce.

*Bring in your
I make w^m before the
King as I do at
the C^rch*

thereof, and the Churches, by reason of this their incum-
bency are full and not void. For otherwise, the Bishoppe
might collate, or the King pre-
senta Clarke (as to other Chur-
ches) as it semeth by the argu-
ments of the Judges in the case
betweene Grendon and the Bi-
shop of Lincoln in Mr. Plow-
man. where it is also shewed,
that the incumbency is a spiri-
tuall function, and ought not to
be conferred vpon any but spi-
ritual persons, and such as may
themselves doe the diuine Ser-
vice, and minister the Sacra-
ments. Therfore, Dier, L. Chief
Justice of the Com. Pleas there
said, that it was an horrible thing
when these Appropriations were made to Prioresses and

monasticall persons and
Prioresses themselves
that could
not performe
the divine
service were
now with-
standing the In-
cumbents of
their Chur-
ches; and
lay appropri-
etaries clai-
ming vnder
their right
ought also
to be subject
to the same
burdens.

* See Dier
Trin. 36. H. 3.
f. 58. pl. 8.

* There is
yet no ex-
presse lawe
made to take
away the
Bishops iu-
risdiction
over Chur-
ches appro-
priate, (that
an in-
dequeré
how it ex-
tendeth.)

houses of Nunneries, because that (although they were religious persons,) yet they could not minister the Sacraments and divine Service. Implying by this speech of his, that it was much more horrible for Laymen to hold them, than neither could doe these holy rites, nor were so much as Spiritual persons to give them colour for holding of spiritual things. Therefore Ser-

Mystere

* Termes ~~ianct~~ * Rastal, also termeth it a of the Law ~~in verbo~~ Wicked thing, complaining (in his time) that it continued so appropria- long, to the Hinderance (hee saith) of learning, the impoveris- tion, ing of the Ministry, and to the infamy of the Gospel, and professors thereof.

Ienesque de Winche. My Lord Coke also in the new case, second part of his Reports, saith that
new case,
fol 44 b.

that it is recorded in History,
that there were (amōgst other)
two grievous persecutions, the
one, vnder Dioclesian; the other
vnder Julian named the Apo-
stata: for it is recorded, that the
one of them intending to ^{*Diocles.}
haue rooted out all the profes- ^{vide Eusib.}
sors and Preachers of the word ^{bibl. eccles.}
of God, *Occidit omnes Presby-^{bb.7. cap.3.}*
teros. But this notwithstanding, <sup>Niceph. l.7.^{cap.3.}
Religion flourished; for *Sanguis*
Martyrum est semen Ecclesiae.
The blood of the Martyrs is the
seed of the Church, and this was
a cruel and grievous persecuti-
on: but the persecution vnder
the ^b other was more grievous
and dangerous, *Quia* (as the ^b Julian. vi.
History saith) *ipse occidit pres-^{de Theodo-}*
byterium. Hee destroyed the very ^{rit. hist. lib.}
order of Priesthood. For he rob- ^{3. cap.6. &}
bed ^{Niceph. lib.}
^{oi. cap.5.}</sup>

bed the Church, and spoiled spirituall persons of their reuenues, and tooke all things from them wherof they shold live. And vpon this, in short time, insued great ignorance of true religion, and the seruice of God, and thereby great decay of Christian profession. For none will apply themselves or their sonnes, or any other that they haue in charge, to the study of Diuinitie, when after long and painfull study they shall haue nothing whereupon to liue. Thus farre my Lord Coke.

¶ And nowe I come up
vpon me selfe by
that notable sinnes in
myselfe. The answere
Roman paganism.
I alledge these Legall autho-
rities and leue Divinity, be-
cause the Approprietaries o
Parsonages (which shield them-
selves vnder the target of the
Law) affirme yor selfe of y Goffyd at longe at the
releas of your Pontifices p[ro]fessio[n] yor wife
de omnius[que] heri studiis no[n] modice y
tuis of Theodosius y elder. But as soone as
an East was made hat gaude heri yonow
to y Empere[r] your Religion y p[ro]bably vanisched o
to nothing. To welcome more y laste

Law) may see the opinion of the great Lawyers of our own time and Religion, and what the booke of the Law haue of this matter, to the end, that we should not hang our consciences vpon so dangerous a pinne, nor put too great confidence in the equity of Lawes, which we daily see, are full of imperfection, often amended, often altered, and often repealed. E

It is said
in my L.
Dier in the
case of a
common
perso, that
the seruise
of a cure
is a spiritu.
all admini-
stration
and canot
be leased,
and that
is not illu-
ing out of
the per-
sonage, but
annext
vnto the
36.H.8.1ou
fol. 58.b. 16d

how lamentable then is the case of a poore Proprietarie, that dy-
ing, thinketh of no other ac-
count, but of that touching his Lay vocation, and then com-
ming before the iudgement seat of Almighty God, must
answere also for this spirituall person.
function. First, why hee med-
led with it not being called vni-

86. *De non temerandis*

* Proprieta-
ties which
haue Vicars
endowed,
think them-
selues there-
by dischar-
ged, though the
Vicar be the
Parson's de-
puty to doe
the divine
Service, yet
a Superior
care thereof
resteth still
upon the
Parson; him-
self and the
surpluage
of the pro-
fice, belon-
geth to the
people, as ap-
peareth by
the whole
body of Pa-
chers, Do-
ctors, Coun-
sels, &c.

To it. Then, why (* meddling
with it) haec did not the dutie
that belonged vnto it, in seeing
the Church carefully serued,
the Minister thereto sufficient-
ly maintained, and the poore
of the parish faithfully rele-
uest? This I say, is the vle wher-
to Baronages were giuen, and
of this yse wee had notice be-
fore we purchased them: and
therefore, (not onely by the
lawes of God and the Church,
but by the Law of the Land,
and the rules of the Chancery,
at this day obserued in other
cases) wee haught onely to hold
them to this vse, and no other.

19. It is not then a stroke of
not bene- bountry and benevolence to re-
uolence store these appropriacons to
but duty the Church, but of duty and
to restore Church-livings. necessity

necessity so to doe. It is a worke
of duty to give that unto God
that is Gods, Matth. 22, 2. And
it is a worke of necessity to-
wards the obtaining remission
of these sinnes. For Saint

^{St.} Agustine saith, *Non remittetur
peccatum, nisi restituatur abla-
tum cum restituimus potest. The sinne*

*Ad Mace-
donium
Epist. 54.
tom. 2.*

*shall not be forgiuen, without re-
storing of that which is taken a-
way, if it may be restored.*

It is duty, iustice, and neces-
sity, to give them baeke vnto
God. For if *Iudas* (who was the
first president of this sin) were
a theefe, as the *Holy Ghost*

Job. 13, 6.

termeth him, for imbeasiling
that which was committed
vnto him for the maintenance
of Christ and his Disciples, that
is of the Church: by the same

G 4 reason

And thou knowest saith Hieronimus ^{probably} y^e he that madaeth
an other mans right in this woorlde, is accused by y^e
poore & condemned by y^e Judge: So in y^e church of God
when any man loseth his stypend or wages creth out
to God, & Christe heareth his attentivly, and
the sentence of reuenge is not deferrred in y^e case
if they be not all restored. ex. deu. 507 vñlineo.

88 *De non temerandis*

reason, must it also be the cuery
to withhold these things which
were giuen for the mainte-
nance of the Church, and Mi-
nisters of Christ. And heerein
it is a degree aboue that sinne
of *Judas*, as robbery is aboue
theft: for *Judas* onely detained
the money (deliuered vnto
him) closly and secretly; but
we and our fathers, haue inua-
ded Church-livings, and taken
them (as it were by assaile) euuen
from the sacred body and per-
son of the Church,

It is a great sinne to steale
from our neighbour; much
greater (eu'en sacrilege) to steale
from God. If it were so hai-
nous a fact in *Ananias* to with-
hold part of his owne goods,
which he pretended he would
giue

glue vnto God, how much
more is it in vs, presumptuous
lie to reave that from God, that
others haue already dedicated
and deliuered vnto him. *Salo-* Pro.23.24;
mon saith, Hie that robbeth his
father and his mother, and faſth,
it is no ſinne, is the companion of [a
*murtherer, or] him that deſtroy-**Synod.5th.**

eth. But he that purloineth the
*things of God, robbeth his fa-*Rom.318.**
ther, and hee that purloineth
*the things of the Church, rob-*Episcop.**
*beth his mother. And there-*An.503.**
fore that man is a companion
of the destroyer. *Conc. Val.*
An.855.

The *Fathers, the Doctors,
many great Councils, and
auenient Laws of the Church,
commaund, that things ta-
ken from the Church, should
be restored. And the Church
Anno.1063.
Conc. Rom.
5. An.1078
Cœr. Palent.
An.1188.
Conc. Oxon.
Gene. Ang.
An.1222.

by

90 De non temperandis

A strange by her Preachers & Ministers
 change: continually entreateth, urgeth,
 the I^rrae- and requireth all men to doe it.
 lites gaue They therefore that doe it not,
 their owne goods so they refuse to heare the
 abundant- Church: And then our Saui-
 ly to the our Christ, by his own mouth,
 seruice of denounceth them^b to be as hea-
 God, that thens and Publicas, that is ex-
 Moses was forced to restraine communicate & prophane per-
 them by proclama- sons. If he refuseth (saith our Sa-
 tiō:Ex.36. uiour) to heare the Church also, let
 5. but now him bee vnto thee as a heathen
 nothing can moue man, and a publican. Mat.18.17.
 vs to give. It is a fearefull thing not to
 God that w^b is his heare the^c Church, but much
 alreadie. more, not to heare Christ him-
 selfe. Christ hath giuen vs a
^b Quis sub nomine fidei perpetuall Law and comman-
 dment, touching things be-
 liū, agāt spe*ra infidelū*
 Hierō.ibid. longing to God; That we should
 We think the church doth not cōmād iētē we make a parlinet
 law for it, but the law is made alredy by Christ himself.
 gine

them to God. If we breake this Lawe, wee breake a greater Law then that of the Medes and the ^a Persians : and therefore mark what the holy Ghost concludeth vpon vs; *Every person that shal not heare this Prophet (Christ Iesus) shall bee de- stroyed out of the people.* Act. 3.23.

¶ 20 To conclude then, as the ^{The Con-}
Philistims made haste to send ^{clusion.}
home the ^b Arke of God ; and ^{b Isa.5.21}
the *Egyptians* to ridde them-
selues of the ^c people of God: so
let vs ply our selues to render
vnto God his Lands and Posses-
sions with all speede. Other-
wise, as he struck the *Philistims*
with *Emrods* secretly, and the
Egyptians with manifold scour-
ges openly; so onely himselfe
knoweth, what he hath deter-
mined

^c Ex.12.31
¶ epst: Nsc: 1
16. To: Con: 3A
789

mined against vs.

And thus I end, with the
saying of the blessed Saint Cy-
^{Cypri. Ser.}
^{nde leppis,}
^{In fine.} pryan, Nec teneriam, nec amari
Patrimonium debet, quo quis &
deceptus, & victus est. We must
now, neither hold that Patri-
mony, or living, (no) nor so much
as take pleasure therein) whereby
a man is intrapped and brought to
destruction. And with that o-
ther of the noble S. Augustines;

^{Liber de Ha.} With what face canst thou ex-
^{pectis per}
^{15 dor.} pect an inheritance from Christ
in heauen, that defraudest
Christ in thy inheritance
beere on earth:

Therefore

MAR. 12.17. Giue vnto Cæsar the things that are
Cæsars, & vnto God the things that
are Gods.



An Epilogue.

Pardon me good Reader; though I haue neither satisfied thee, nor my self, in this little discourse. It is hard to bring a great vessel into a small creeke, an argument of many heads & branches, of much weight variety and difficulty, into a few pages. It may be thou thinkest the volume big enough for the successe that bookeſ of this nature are like to haue. I reciet not thy iudgement, yet would I not haue others therby discouraged, from pursuing this cause: for though Peter fish-<sup>I, vii.
ver. 3.</sup> ed all night and got nothing, yet he made a great draught (unlooked for) in the morning. He that dereceted that net give a blessing to all our labours. For my owne part (if I catch but one fish) I shall think mine well bestowed. Howsoever, it shall content me, and I thanke God for many of them but they lye so deep in y mudd ^y ~~the~~ an hook will not reach them and a net slippeth over the

92. De non temerandis

for it, that he hath girded me with so much strength as to strike one stroke (though a weake one) in his battell, and to cast one stone (though a small one) against the aduersaries of his Church.

Some will say, I haue vsed too much salt and vinegre, in this discourse; and that I haue bent the great artillery of Gods iudgements and threatnings, upon a piece of too light importance. I wold the con-
sciences of men were such, as oyle and butter might supple them. But I see they are for the most part ouergrowne with so hard a carno-
lity, as it requireth strong and po-
tent corasives to make an entrance into them. A preacher may shake them now and then with a Sermon,
Ac.24.26 as Paul did Fælix: but when the thunder and lightning are ceased, they

this as being zealous of the cause,

17. 18. 19. 20. 21. 22. 23.

they are (like Pharao) still where they were. Yet some haue conscientias cauteriatas, as the Apostle i.Tim.4.2.
tearmeth them, consciences seared with an hot iron : so stumped, that dead Lazarus may be raised before they can be moued. But God knoweth the hart of man, and bringeth water out of the hard rock; therefore though I haue spoken this, vs transported with passion, yet in shairty I will hope better euens of the hardest of them. Only let no man think it a light sin, to keep open the passage whereby the wilde boare (of barbarisme) enters the Lords vineyard, and whereby God is deprived of the honor due to his name. ^{* Psal. 80. 13.} ^{Psal. 96.}

Now at the parting, it may be thou desrest to know what successe this my labour had with the gentleman to whom I sent it: In truth, neither that I desired, nor that
v which

96 De non temerandis

August. 1595
1613.

which I promised unto my selfe,
For (so it pleased God) that evē the
very day the messenger brought it
into Norff the party died. Otherwise
I well hoped, not to haue shot this
arrow in vain. But because it then
missed the mark as which it was set
(as many thought not fit to lose it,)
I haue now let it flie again at rādon
with some notes & alterations, as
the difference between private and
publike things requireth: but still
desiring that I might further haue
shewed my mind in many passages
hereof, (and particularly touching
tithes in quo^c, and such Personae-
ges as haue Vicariages well endow-
ed) which without making it a' most
a new work, I could not do; & ther-
fore resting vpon thy curiosit
interpretation, I leane it to
thee, (for this time)

The residue ought
to goe to y^e parson
& so nothin^g is to
remaine to the
Approprietary.
R. Concl. Agric.
ca. 116.

as it is.

A SERMON

of S. Augustines
touching rendring
of Tithes.

The occasion of this Sermon, or Homily was ministred vnto him by the time of the yeere, it being the 12. Sunday after Trinity, that is about the beginning of Harvest. The Scripture that he fitteth vnto it, is the 18. of Luke, Where the Pharese Boasteth of his precise justice in payment of Tithes. It is the 219. Sermon de Tempore : extant in the tenth Tome of his works, and there entituled.

De reddendis decimis.



Y the mercy of Christ
(most beloved brethren)
the daies are now
at hand, wherein wee

H are

98 De non temerandis

are to reape the fruites of the earth : and therefore giuing thankes to God that bestoweth them, let vs bee mindefull to offer, or rather to render backe vnto him the tithes therof. For

Decret
16. Qua. 1.
can. Deci-
mæ.

Where you
may see
a great part
of this ser-
mon cited
for Augu-
stines.

Mala. 3. 10.

God, that vouchsafeth to giue vs the whole, vouchsafeth also to require back again the tenth not for his own, but for our benefit doubtlesse. For so hath he promised by his Prophet, saying: * Bring al the tithe into my barnes, that there may be meate in my house; and trie mee, saith the Lord, in this point, if I open not the windowes of heaven unto you, and giue you fruit without measure. Lo, we haue proued how tithes are more profitable vnto vs, then to God. O foolish men! What hurt doth God command;

mand, that he shold not deserue
to be heard? For he saith thus:

The first fruits of thy threshing Exod.23:
floore, and of thy wine presse thou^{29.}
shalt not delay to offer unto mee.

If it bee a sinne, to delay the
giuing: how much worse is it,^{16.Que.1.}
not to giue at all? And againe,^{ca. decima.}
hee saith, Honour thy Lord thy
God with thy iust labours, and
offer onto him of the fruits of thy
righteousnesse, that thy barnes
may be filled with wheate, and thy
presses abound with winc. Thou
doest not this, for God a mercy,
that by and by shalt receiuē
it againe with manifold in-
crease. Perhaps thou wilt
aske, who shall haue profit by
that, which God receiueth, to
giue presently backe againe?
And also thou wilt aske, who

H 2 shall

100 De non temerandis

shal haue profit by that which
is givyn to the poore? If thou
beleueyt, thy selfe shall haue
profit by it, but if thou doul-
test, then thou hast lost it.

Tithes (deare brethren) are a tri-
bute due vnto the needy soules.
Giue therefore this tribute vnto
the poore, offer this sacrifice
vnto the Priests. If thou hast
no tithes of earthly fruits: yet
whatsoeuer the husbandman
hath, whatsoeuer Art sustayneth
thee, it is Gods, and he requires
tithe, out of whatsoeuer thou li-
uest by: whether it be Warfare,
or Taffike, or any other trade,
giue him the tithe. Some things
we must pay for the ground we
lieue on, & something for the vse
of our life it selfe. Yeld it ther-
fore vnto him (O man) in regard
of that which thou posses-

fest: yeeld it (I say) vnto him,
because he hath giuen thee thy
birth: for thus saith the Lord.

Every man shall giue the redemp- Eto. 30. 12.
tion of his soule, and there shall not
be amongst them any diseases or
mishaps. Behold, thou hast in
the holy scriptures, the *cautions*
of the Lord, vpon which he hath
promised thee, that if thou
giue him thy *tithe*, thou shalt
not only receive abundance
of fruits, but health also of bo-
dy. Thy barnes (laieth here) shall
Pro. 3. 10.
be filled with wheate, and thy pres-
ses shall abound with wine, and
there shall bee in them neither dif-
eases nor mishaps. Seeing then,
by payment of *tithes*, thou
maiest gaine to thy selfe, both
earthly and heavenly rewards:
why doest thou defraude thy
selfe?

selfe of both these blessings together? Hearc therefore, (O
16. Que. 1. thou zeale-lesse mortality.) Thou
ca. Decime. knowest, that all things that
thou vlest are the Lords, and
canst thou finde in thy heart,
to lend him (that made all
things) nothing backe of his
owne? The Lord God needeth
not any thing, neither demand-
eth he a reward of thee, but
honour; he urgeth thee not to
render any thing that is thine,
and not his. It pleaseith him to
require the first fruits, and the
tithes of thy goods, and canst
thou denie them, (O covetous
wretch?) What wouldst thou
doe, if hee tooke all the nine
parts to himself, and left thee
the tenth onely? And this in
truth he doth, when by with-
holding

holding his blessing of raine,
the drought maketh thy thir-
sty haruest to wither away: and
when thy fruit, and thy vine-
ycard, are struckē with haile, or
blasted with frost, where now is
the plēty that thou so couetou-
sly didst reckon vpon? The *nine*
parts are taken frō thee, because
thou wouldest not give him the
tenth. That remains onely, that
thou refusest to giue, though the
Lord required it. For this is a
most iust course, that the Lord ^{16. Que. 1.} holdeth, *If thou wilt not give him a decime.*
thētēth, he will turn thee to the tēth.
For it is writtē, saith the Lord,
In somuch as the tithe of your ground,
the first fruits of your Land, are
with you: I haue seene it, but you
thought to deceiue me: hanocke
and spoile shall be in your treasury,

H 4 and

and in your houses. Thus thou
shalt giue that to the vnmerci-
ful Souldier, which thou woul-
dest not giue to the Priest.

The Lord Almighty also
saith : Turne unto mee, that I
Mal. 3. 10. may open unto you the windowes
of heauen, and that I may poure
downe my b'lessing vpon you; and
I will not destroy the fruit of your
land, neither shall the vines of your
field, [or the trees of your or-
chards] wither away, [or be bla-
sted] and all nations shall say, that
you are a blessed people. God is
alwaies ready to giue his bles-
sings. But the peruersenesse of
man alwaies hindreth him. For
he would haue God giue him
all things, and he wil offer vnto
God nothing, of that where-
of himselfe seemeth to bee
the

the owner. * What if God
 should say ? The man that I
 made, is mine; the ground that
 thou tillest, is mine; the seed that
 thou sowest, is mine; the cattel
 that thou weariest in thy work
 are mine; the shoures, the rain,
 and the gentle winds are mine;
 the heat of the Sunne, is mine:
 and since all the Elements
 whereby thou liuest, are mine;
 thou that lendest onely thy
 hand, deseruest onely the tithe,
 or tenth part. Yet because Al-
 mighty God doth mercifully
 feed vs, he bestoweth vpon the
 labourer a most liberall reward
 for his paines, and reseruing
 onely the tenth part vnto him-
 self, hath forgiuen vs al the rest.

*Ingratefull and perfidious de-
 ceiuer, I speake to thee in the
 word*

* This
 p'ace is ci-
 ted as out
 of Augustin
 Cone. Tribu-
 riens. ca 13
An. 895. &c
 before that
 in Concil.
 Mogunt.
pri. t. 8. An.
874.

word of the Lord. Behold the
yeere is now ended: giue vnto
the Lord (that giueth the raine)
his reward. Redeeme thy selfe,
O man, whilst thou liuest. Re-
deeme thou thy selfe whilst
thou maiest. Redeeme thy
selfe (I say) whilst thou hast
wherewith in thy hands. Re-
deeme thy selfe, lest if greedy
death preuent thee, thou then
lose both life and reward to-
gether. Thou hast no reason,
to commit this matter ouer to
thy wifc, who happily wil haue
another husband. Neither
hast thou (O woman) any rea-
son to leave this to thy hus-
band, for his minde is on ano-
ther wife. It is in vaine, to tie
thy parents, or thy kinsfolke,
to haue care heereof: no man
blow
after

after thy death, surely shall redeeme thee, because in thy life, thou wouldest not redeeme thy selfe. Now then, cast the burden of *covetousnesse* from thy shoulders, despise that cruel *Lady*, who pressing thee downe with her intollerable yoake, suffereth thee not to receiuue the yoake of Christ. For as the yoake of *covetousnesse*, presleth men downe vnto hell, so the yoake of Christ raiseth men vp vnto heauen. For *tithes* are required as a debt, and hee that will not giue them, inuadeth an other mans goodes. And let him looke to it, for how many men soever die for hunger in the place where hee liueth (not paying his *tithes*) of the murthring of so many men

^{16. Que. i.}
^{ca. decima.}

men shall he appeare guilty before the Tribunall seat of the eternall Judge, because he kept that backe to his owne yse, that was committed to him by the Lord, for the Poore.

He therefore that either desi-

*Promereri reth to gain a reward, or to *ob-
taine a remission of his sins, let
him pay his tithe, & be carefull
to giue almes to the poore, out
of the other nine parts: but so
notwithstanding, that whatso-
ever remaineth over and aboue
moderate diet, and conuenient
apparell, bee not bestowed in
riot and carnall pleasure, but
laid vp in the treasury of hea-
uen, by way of Almes to the
poore. For whatsoeuer God
hath giuen vs more then wee
haue neede of, he hath not gi-
uen

uen it vnto vs particularly; but
hath committed it ouer vnto vs
to bee distributed vnto others: &
which if wee dispose not accor-
dingly, we spoile and rob them
thereof. Thus far S. Augustine.

ERasmus in a general censure
of these Sermons de Tem-
pore, noteth many of them not to
be Saint Augustines: so also doth
Master Perkins, and diuers o-
ther learned men, who hauing ex-
amined them all particularly, and
with great aduisement, rejecting
those that appeared to be adulterat
or suspected, admit this notwithstanding
as undoubted. And al-
though Bellarmihē seemeth to
make a little question of it, yet hee
concludeth it to be, without doubt,
an excellent worke: and either

Saint

Forte hon
 est Augusti-
 niste sermo
 tam ex in-
 signi est si-
 ne dubio &
 antiquis alio-
 quius Pa-
 trius nam
 inde tanquam
 ex Augu-
 stino multa
 sunt adseri-
 ta in Decret.
 16: q. 1.
 Bellarm.
 lib. de Cle-
 ricis cap.
 23.

Saint Augustines owne, or some
 other ancient Fathers. But hee
 saith, that many things are cited
 out of it as out of Augustin in
 Decret. 16: q. 1. And to cleare
 the matter firschet, I finde that
 some parts hereof are alleged
 vnder the name of Augustine in
 Concil. Tribariens. (which was in
 the yeere of our Lord 895.)
 cap. 13. And twenty yeere be-
 fore that also, in Concil. Augu-
 stini. 1. cap. 8. So that Antiquitie
 it selfe, and diuers Councils ac-
 cepte it for Augustines.

I will not recite a great dil-
 course to the effect of this Ser-
 mon amongst the works of Au-
 gustine in the Treatise De recti-
 tudine Christianae religionis a be-
 cause Erasmus iudgeth that
 Treatise not to be Augustines.
 Yet

in y lavers of
 Dno: Confes:
 ca: 8. 5 pe
 apib. And
 before y
 tisory

Yet seemeth it likewise to
be some excellent mans, and
of great antiquity. But if thou
wouldst heare more what ~~Ag-~~
~~gustine~~ saith vnto thee of this
matter, take this for a farewell;

*Maiores nostri ideo, copijs omni-
bus abundabant, quia Deo deci-
mus dabat; et Casari censem red-
dehant: modo autem quia desces-
sit deuotio Dei, decepsit indictio
fisci. Nolimus partiri cum Deo
decimas, modo autem totum
tollitur. Hoc tollit fiscus,
quod non accipit.*

Habili. 48.
ex lib. 50.
Ham. tom.
10.

*Christus. Dabis impio
militi q: non vis daret sacerdoti. v: ap^d Orat:
Cambrensi: hoc in H 2 diffqz eius temporis
principibus verificata. fo: 823 l: 25.*



I ex parte agnother worter lat
in lust þerþy tre heftan. mi
hange in þe feyst boone yet i
þe oþre folys þe me hondi full
wren in wiþ feyst iþominge
þe wanke out o' inconcisen.
and east at i' þe last eraydys
at i' spide was i' romyd weye
in þoughorum institui & wecen.